HOUSE OF ASSEMBLY

HANSARD OF MEETING HELD ON 3 MARCH 1976 VOL I TELEPHONES A. 4882 OFFICE A. 70071 EXT. 36 CLERKS A. 70071 EXT. 37

ATTORNEY-GENERAL'S CHAMBERS.

GIBRALTAR.

NO 19/5(28)

0

31st January, 1977.

The Clerk, House of Assembly, GIBRALTAR,

Mr Clerk,

REPORT OF PROCEEDINGS OF THE TWENTYTHIRD MEETING OF THE FIRST SESSION OF THE SECOND HOUSE OF ASSEMBLY.

I have the fellowing corrections:

- Page 337: line 3: delete 'pit' and substitute 'put'. Line 10: Communications should be spelt with an 's' conclusion
 - 340: line 1 of last paragraph the missing word is 'restrictions'.
 - 347: line 5 of penultimate paragraph: delete 'I had' and substitute 'Had I'.
 - last three lines of final paragraph: delete from "The genuine" to the end of the page and substitute "There was a genuine misunderstanding of his question when the answer was prepared by Government. I prepared the answer, it was shown".
 - 348: First two new paragraphs: delete and substitute "The point he was trying to raise was not apparent from the way the question was worded. His question was not phrased well and was misunderstood. These things happen. This is the luck of the game - put it that way."

374: My first paragraph: line 3: insert '8' after the words 'at least'.

K.Ware

J K HAVERS ATTORNEY GENERAL

REPORT OF THE PROCEEDINGS OF THE HOUSE OF ASSEMBLY

The Twentythird Meeting of the First Session of the Second House of Assembly held at the Assembly Chamber on Wednesday the 3rd March 1976, at the hour of 10.30 o'clock in the forenoon.

PRESENT:

Mr Speaker (In the Chair) (The Hon A J Vasquez CBE MA) so help me God. (Tapping: on the toble).

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 M K Featherstone, Minister for Education. The Hon A J Canepa, Minister for Labour and Social Security. The Hon I Abecasis, Minister for Information and Postal Services. The Hon H J Zannitt, Minister for Sports and Housing. The Hon J K Havers, OBE QC, Attorney-General. The Hon A Collings, Financial and Development Secretary.

OPPOSITION

The Hon M Xiberras, Leader of the Opposition The Hon W M Isola The Hon J Bossano The Hon L Devicenzi The Hon Miss C Anes people of Gibraltar will be the richer ign ber

ABSENT :

The Hon A W Serfaty, OBE JP. Minister for Tourisn, Trade and Economic Development. The Hon Lt Col J L Hoare, Minister for Public Works and Municipal Services. The Hon Major R J Peliza, Menber of the Opposition. The Hon P J Isola, OBE, Menber of the Opposition. the Opposition has suid, even

for the short time. I hope that Miss and wi IN ATTENDANCE :

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

PRAYER

Yr Speaker, Manbers, thai'r you yery chal Mr Speaker recited the prayer.

OATH OF ALLEGIANCE

HON MISS C ANES

I, Concepcion Priscilla Anes swear that I shall be faithful and bear true allegiance to Her Majesty Queen Elisabeth II, her heirs and successors, according to law, so help me God. (Tapping on the table).

CHIEF MINISTER

Mr Speaker, I am sure that reflects what I was about to say, that we all welcome the Honourable Lady to this House, and I am sure that being no stranger to the House, because of her previous experience, we shall benefit by her presence, apart from benefiting of her charms.

HON M D XIBERRAS

Mr Speaker, it goes without saying that we on this side welcome the Honourable Miss Anes to the House. I am sure that she has a contribution to make, even in the remaining months of this session, and I am sure the people of Gibraltar will be the richer for her contribution.

MR SPEAKER

I will join of course delightedly to the words of welcome to Miss Anes, and in this age of Women's Lib, I think a House like ours needs the feminine touch, and as the Honourable the Leader of the Opposition has said, even for the short time, I hope that Miss Anes will recall her many useful contributions when she was here with us before and we welcome her back to our fold.

HON MISS C ANES

Mr Speaker, Members, thank you very much for your words of welcome. I hope I will be worthy of them.

CONFIRMATION OF MINUTES

The Minutes of the Meeting held on the 13th January 1976 having been previously circulated, were taken as read and confirmed.

COMMUNICATIONS FROM THE CHAIR

MR SPEAKER

I would like at this stage to say that as requested by the resolution passed by this House I wrote to the Brother Provincial of the Christian Brothers on the 5th January 1976 conveying the text of the motion as passed. I received a reply to this letter from the Brother Provincial and I did circulate a copy of this reply to both the Chief Minister and the Leader of the Opposition, but I thought it would be right for me to read to the House the Brother Provincial's reply which I will now do.

It reads as follows:

Dear Sir,

D

I acknowledge the receipt of the text of the motion which was moved by Maurice Xiberras and unanimously passed at the meeting of the House of Assembly on November 25th 1975. May I as Provincial Superior of the Brothers of the English Province, and through you Mr Speaker, thank the proposer, the Chief Minister, and those who spoke in favour of the motion, in fact the entire house, for the appreciative sentiments expressed in the motion and during the debate on November 25th.

id on the sable the

I acknowledge too the copy of the transcript of the ensuing debate which gave deeper insights in the personal feelings of the members who spoke, many so profoundly, of the long and warm association of the Christian Brothers with the people of Gibraltar. As representative of the Brothers of the province I would wish to assure the Members of the House, and indeed the entire people of Gibraltar, that we Brothers reciprocate their expressions of gratitude and affection.

Our dear departed dead shall remain with you when we are gone and they shall ever remain as a permanent memorial to our apostolate of Christian education on the Rock.

Thank you, Sir, for your personal comment in the final paragraph of the letter. I, too, as one who worked with pupils and staff of both Lourdes and Rosia Schools from 1934 to 1940 shall carry to the end of my life many happy memories of Gibraltar and its very very friendly people. Begging God's graces and blessings to the work of your Assembly, I

I remain, Sir,

Yours very sincerely

DFO'Brien

Provincial

I have given instructions for copies of this letter to be circulated to all members.

DOCUMENTS LAID

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

- (1) The Town Planning (Applications) Regulations 1976.
- (2) The Social Insurance (benefit) (Amendment) Regulations 1976.
- (3) The Employment Survey Report April 1975.

Ordered to lie.

The Honourable the Minister for Sports and Housing laid on the table the following document:

The Traffic (Parking and Waiting) (Amendment) Order 1976.

Ordered to lie.

The Hon the Attorney-General laid on the table the following documents:

- (1) The Merchant Shipping (Oil Pollution)(Gibraltar) Order 1976.
- (2) The Wireless Telegraphy (Amendment) Regulations 1976.
- (3) The Copyright (International Conventions)(Amendment No.2) Order 1975.
- (4) The Copyright (International Conventions)(Amendment No.3) Order 1975.

Ordered to lie.

The Honourable the Financial and Development Secretary moved under Standing Order 7(3) that the laying of the Draft Estimates of Revenue and Expenditure for 1976/77 be deferred to a later stage in the meeting.

Mr Speaker put the question in the terms of the above motion which was resolved in the affirmative.

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

- (1)The Vessels (Temporary Importation and Exemption) Regulations, 1976.
- Supplementary Estimates No.2 of 1975/76. (2)
- Supplementary Estimates Improvement and Development Fund No.2 of 1975/76. Statement of virements approved by the Financial and (3)
- (4)Development Secretary.

Ordered to lie. fraining to the Industry and

MR SPEAKER

We will now recess until 3.15 this afternoon.

The House recessed at 1.05 p.m.

The House resumed at 3.20 p.m.

MR SPEAKER

The Honourable Minister for Labour and Social Security and the Honourable the Attorney General have given notice that they wish to make statements. I therefore now call on the Honourable Minister for Labour and Social Security

STATEMENT MADE BY THE MINISTER FOR LABOUR AND SOCIAL SECURITY AT THE MEETING OF THE HOUSE OF ASSEMBLY ON WEDNESDAY 3 MARCH 1976.

INDUSTRIAL TRAINING

- 5 -

In the Retail Trade, training for shop assistants commenced last May. In all, 12 courses have been organised. 5 of these were at introductory level, 3 basic and 3 advanced, and a total of 54 employees have attended one or more of these courses.

It is gratifying to note that one particular firm requested that these courses, suitably geared to its own line of business, should be laid on outside working hours so that all their sales staff could attend. Over twenty employees attended this course, which proved very successful.

In conjunction with the Youth and Careers Office, special introductory courses for young unemployed persons and school leavers have also been organised.

A seminar for proprietors and shop managers on the provisions of the law relating to Unfair Dismissal has been held and, in conjunction with the Chamber of Commerce, a seminar on Security of Business Premises and the Advantages of Industrial Training to the Industry was also organised and particularly well attended.

The locally appointed understudy, a qualified teacher on commercial subjects, took over the duties on departure of the UK tutor in January.

¢.

C

The possibility of introducing more advanced courses, leading to City & Guilds of London Institute standards and adapted to local requirements, is currently being pursued but basic training will continue to be provided at all levels.

It is very much my hope that the importance of training in this vital area of our economy will become increasingly apparent. I wish to appeal to employers and, indeed, their employees to take full advantage of these courses, since better standards of service in our shops cannot but lead to an enhanced image of Gibraltar as a shopping centre.

On the Construction Industry, the House will recall that last year I said that the facilities available at the Construction Industry Training Centre had been extended to the private sector of the Industry. I am glad to state that three apprentices from this sector are now receiving off-the-job training similar to that given to construction craft apprentices employed by the Official Departments. It - 7 -

is hoped that the private sector will now take advantage of other courses of instruction also available at the Training Centre, or which could be designed to meet any specific requirement of this Industry.

Turning now to the Motor Industry, a Senior Training Adviser from the UK Road Transport Industry Training Board, together with the Assistant Training Adviser from the Technical Education and Training Organisation for Overseas Countries, visited Gibraltar between September and October last to advise on the detailed planning and implementation of training. Their report, which makes recommendations on future training in the repair and servicing of motor vehicles, has just been received and is being studied. It is hoped that positive steps can be taken in the coming year to introduce much required training in this area.

Other activities in the field of industrial training have included surveys of training needs, undertaken by the Productivity & Training Unit, in Gents Hairdressing, in the repair and servicing of clocks and watches, television sets and other electro-domestic equipment.

With regard to the last two it is expected that the required theoretical training will be provided by the Gibraltar & Dockyard Technical College, within their existing programme, during the coming academic year.

It will be noted that some of the training schemes which are under consideration for implementation in the near future, such as motor trade, television, watch repair and electro-domestic appliances, are aimed at providing a better service to the community. Better training should produce increased efficiency, resulting in lower costs of servicing and repairs, a matter which is of particular concern to me, giving my responsibility for protecting consumer interests.

I am happy to inform Honourable Members, following a question at the last Meeting of the House, that Government has approved the training scheme for apprentice gardeners. I anticipate that we shall be in a position to recruit three young persons during this month and I shall be seeking allocation of funds for this purpose later on in these proceedings.

The House will recall that last year I reported on the completion of the first Hotel and Catering apprenticeship scheme. The second scheme consisted of four apprentices who completed their two years of indentures last January and 10 City & Guilds of London Institute certificates, 5 of them with credit, were obtained in basic cookery, waitering and bar and cellar. A third similar scheme started in September 1974 and is due for completion next September.

However, after four years experience of training in this industry, it has been decided to review the work done to date, and a survey of present needs is now being undertaken by the Productivity & Training Unit. This survey will take into account the Industry's requirements over the next few years and the facilities available, or which could become available, prior to launching either the fourth similar scheme or other training which the industry may need.

Notwithstanding this, training needs have already been identified at a higher level than that which can be provided locally at present. Government has therefore made provision of about £3,000 (the total cost being in the region of £6,000) in the Draft Estimates for this coming year, under the Education Department, for three Industrial Training Awards for the more successful exapprentices, who have now obtained a measure of experience in the Industry, to proceed to the United Kingdom for more advanced, specialist training. This training will consist of a one year course, at an approved college, leading to the Diploma in Catering. It will also entail a short period of attachment to a leading group of hotels for practical experience and, finally, an instructor's course. The placing and progress of these students, whilst in the UK, will be monitored on our behalf by the Technical Education and Training Organisation for Overseas Countries.

6

1

4

4

4

On their return to Gibraltar, the successful students will not only provide the expertise in an industry which, at present, relies heavily on imported labour, but will form the nucleus of local instructors who are badly required to undertake the training of apprentices, and indeed present staff, to higher standards. It is hoped that these young men will therefore make a positive contribution to meet the future training needs of this industry.

HON M D XIBERRAS

Mr Speaker, the statement of the Minister in respect of industrial training, or any statement of the Minister which states progress in the field of industrial training is of course most welcome to Honourable Members on this side. In the four years that the Minister has been in office we have, especially at the beginning, taken him to task for perhaps not doing as much as we thought was necessary from this side of the House.

The present statement I think is the fullest which the Honourable Member has made to this House and, therefore, as far as I an concerned the most welcome of these. However, leading up to a question on this, Mr Speaker, since the idea of industrial training was geared to a philosophy about the labour meeds of Gibraltar, would the Minister care to expand briefly on his statement and say how in his view the point in industrial training reached now is tied in with systematic provisions to meet the meeds of the labour situation in Gibraltar generally.

I an rather concerned that we should go into ity bitty sort of approach to industrial training and I would like to see a co-ordination with other aspects of the labour situation such as the one he alluded to in the question of gardeners. Now when he talks about persons - which I inagine could mean women, and this was identified as a labour need quite some time ago.

That is my question to the Minister.

HON A J CANEPA

Very broadly speaking, Mr Speaker, there are two things which I think require to be done. The first of these would bring about that element of co-ordination that the Honourable Leader of the Opposition was talking about a minute ago. And that is that I think there is a need for an overall authority in Gibraltar to plan industrial training. We have got the Industrial Training Board, dealing with the private sector and we have got the Gibraltar Official Employers Apprentices Board dealing with the public sector. In fact in this statement I an by and large dealing almost totally with the private sector, except for that reference that I included to apprentice gardeners. That is the only element of training in this statement applicable to the public sector.

So the first think I think, Mr Speaker, that has to be done is to renove this dichotomy between the private sector and the public sector, and planning and training schemes must be introduced for the whole of the economy.

The second thing that I think is becoming increasingly urgent is that an up-to-date survey of skilled nanpower needs is required.

These are the two things which I think are absolutely necessary if we are not to tackle our labour problems, and if we are not to tackle the future of industrial training, in any haphazard manner. I think that if those two things are done there will be all the co-ordination and all the proper planning that is necessary, both in the labour field and in the field of industrial training.

Mr Speaker, would the Minister not consider also some sort of publicity drive to accompany this. I appreciate he is making the appeal now to employers and employees, but I do feel that some momentum has been lost in the gearing up of people to meet the labour meeds of the community which not so long ago were pretty serious. Would he consider some sort of publicity drive, along with employers and employees, in order to make Gibraltar conscious of the meeds in our reduced manpower situation, to maximise on the potential of Gibraltarians, people who are residents here, with a view to making ourselves more self sufficient in labour, as was the policy of the previous administration.

MR SPEAKER

That is out of order. You must not fall into the temptation of debating the statement. I think I have been as liberal as I can in the circumstances.

HON M D XIBERRAS

I an asking the Minister whether he would join employers and employees in some sort of publicity drive to make people aware that the potential should be maximised and that there is an agency to develop this talent, such as the industrial training set up.

HON A J CANEPA

Yes, Sir.

MR SPEAKER

Then I will now call on the Honourable the Attorney-General.

HON M D XIBERRAS

Mr Speaker, may I ask the Minister to say something about the Industrial Training Board itself, which was in fact supposed to . . .

MR SPEAKER

You can ask the Minister anything which will clarify any of the matters referred to in the statement. That is what I mean to say, that we must not debate the statement or its implications.

What I wish to know, Mr Speaker, is what part the Industrial Training Board is playing in the development of industrial training. To allude to a specific example here, the motor trade survey was I think presented to the Board in embryo form some four years ago. Now, what I would like to know is to what extent is the Industrial Training Board, in respect of the private sector only, acting as an agency for the propagation of the idea and stimulating training.

HON A J CANEPA

Mr Speaker, the answer I am afraid I regret to say is: not at all! Because there is no Board. The life of the Board has lapsed. During the last nine months or a year of the previous Board it was quite impossible to convene it because of inter-union problems. Those were overcome after the expiration of the life of the Board, and I regret to say that the approaches - only recently I was in the office of the Administrative Secretary and I asked him myself to get in touch, and he did so there in my presence, he phoned the Chairman of the Trade Council in order to press him because quite honestly the reactivation of these and other Government Boards is becoming somewhat urgent, and there have been delays in appointing nominees in the Gibraltar Trades Council. That is a matter which I regret because obviously one would like to have these schemes discussed and to get all the parties concerned. The Board is very widely representative of employers in the private sector and other than on an ad hoc basis, they are not involved in the planning of any scheme at the moment.

HON M D XIBERRAS

Am I not right in saying that under the Industrial Training Ordinance the Board had certain statutory duties, such as looking at schemes and advising on them, and I cannot recall whether it has duties in respect of levies to be raised and so forth. If that is the case how is the Minister able to get along without the advice of the Board.

MR SPEAKER

No, no, we are not going into the whole field. That is what I am getting concerned about.

I will now call on the Honourable the Attorney-General.

HON ATTORNEY-GENERAL

Mr Speaker, Sir, at the meeting of the House of Assembly held on the 25th of November 1975, a motion was passed relating to certain security classifications. The terms of this motion, and the views which were expressed by Honourable Members during the course of the debate, were duly communicated by the Honourable and Learned the Chief Minister to His Excellency the Governor on the 11th of December, together with a copy of the Hansard of the debate. In his letter the Chief Minister urged that representations should be made to Her Majesty's Government, and I quote: "In order to remove a source of potential discontent and real offence even though the latter may be unintentional, as well as to contribute to harmonious relations within the community and in particular at places of work."

His Excellency duly communicated these representations to the Secretary of State and I have now been authorised to say that the underlying sentiments in the motion are fully understood and appreciated in London. The House should however be aware that the important element in the protection of classified information is that knowledge of it is restricted to only those people who need it for the efficient performance of their duties. This is sometimes achieved by These markings, which had the use of restrictive markings. their origin in the United Kingdom, have a national application and are, as the House should be aware, in common use in establishments and offices both in the United Kingdom They have certain precise meanings which and overseas. are not necessarily what they seem to be and have no special significance or application in Gibraltar or other dependant There is therefore no alternative to their territories. But it should be clearly understood that not every use. United Kingdom citizen has access to such material or documents. In fact only a relatively small number of United Kingdom citizens are allowed access to them.

1

1

I should like to reassure the House that no offence whatsoever is intended or implied in the use of these classifications. However, it is recognised and appreciated that at least one of the markings is emotive. Directions have accordingly been issued to replace the term wherever possible, but that I am afraid is as far as it is possible to go to meet the representations made in the House.

HON J BOSSANO

D

Mr Speaker, could I ask the Honourable and Learned the Attorney-General whether he agrees that the implications of the statement are that in fact the system is going to remain the same but that the label is going to be altered so as not to give offence. Is that right?

Would that be an accurate summing up of the situation?

HON ATTORNEY-GENERAL

As I am not responsible for the classifications I think the interpretation which the Honourable Mr Bossano puts on it may be equally correct as the interpretation which I put upon it.

Speakor, the last ropagrays of the A

statenet "neer the phrases "thus

HON J BOSSANO

Is it true to say that there is no commitment to change the system, only a commitment to change the label because the label might be emotive. Is that right?

HON ATTORNEY-GENERAL

That is my understanding, yes.

HON J BOSSANO

And could the Honourable Member say whether in fact the full debate was made available to the British Government, because I think it was clear in the debate that it was the system itself which was at fault not just the label: the way the classification excludes locally entered Gibraltarian civil servants, regardless of their position in the department. The way they are excluded by the system is offensive. Was that point brought to the notice of the British Government?

HON ATTORNEY-GENERAL

My belief is that the Hansard was transmitted to the Secretary of State.

HON J BOSSANO

Well, Mr Speaker, can the Honourable and Learned Member say whether in fact there have been any discussions between the representative of the British Government and the local Government on the matter, or did they just receive the representations and then transmitted an answer.

HON ATTORNEY-GENERAL

I believe there was discussion between His Excellency the Governor and a representative - I do not know who - in the United Kingdom, not purely by correspondence.

1

HON M D XIBERRAS

Mr Speaker, the last paragraph of the Attorney-General's statement uses the phrase: "these classifications", in the plural - second line of the 6th paragraph - and then he talks of one at least of the markings is emotive. Is the one marking referred to there the one about which the House was concerned, namely "UK EYES ONLY". Is that referred to in his statement?

HON ATTORNEY-GENERAL

I understand, no, it is the markings "LOCSEN".

HON M D XIBERRAS

"LOCSEN" "Locally sensative", is the one referred to there. So that the "UK EYES ONLY" one is not intended to give offence but is to remain.

HON ATTORNEY GENERAL

That I believe to be the case - yes.

HON J BOSSANO

Is the Government proposing to do anything more about this or is that the end of the story as far as the Government is concerned?

HON CHIEF MINISTER

I would like to say that though some progress has been made, I regret that the decision which has now been communicated does not meet in full the representations made by the House, and I hope in the appropriate context to pursue the matter.

HON M D XIBERRAS

Mr Speaker, could the Attorney-General state whether "LOCSEN", "Locally sensitive", is a classification which is applied to territories other than Gibraltar.

HON ATTORNEY-GENERAL

Yes, I believe it is. I have absolutely no doubt on that at all in my own mind. I would not give a categorical assurance but I have no doubt whatsoever that it is used everywhere. When I say everywhere I mean other dependant territories.

HON M D XIBERRAS

If it is possible then, Mr Speaker, to do away with a classification of general application in dependant territories, namely "LOCSEN", could the Attorney-General say why it is not possible to remove the other classi-fication which was the subject matter of the motion before the House, namely "UK EYES ONLY".

MR SPEAKER

That is not a question seeking clarification of the statement, that is seeking an explanation as to why certain things have not been done, which can be debated, but not under this particular procedure.

HON M D XIBERRAS

Mr Speaker, in this case I think the House is being encouraged into debating the matter further, a course of action which I would have thought would not be necessary in view of the statement made by the Chief Minister, to which I am sure all Honourable Members would subscribe, that the matter should not be left at that point. But if there were in fact valid reasons for distinguishing between "locally sensitive", or the possibility of doing away with "locally sensitive", and on the other hand of doing away with "UK EYES ONLY", the matter might have proceeded outside this House by representations which the Honourable and Learned the Chief Minister has said he would make. Therefore, I thought that it might save the time of the House rather than have the whole issue re-debated if the Honourable and Learned Member could give some indication as to why it is possible to remove one classification and not the other.

MR SPEAKER

Is the Honourable Member in a position to do so?

HON ATTORNEY-GENERAL

I am in no position to give the answer to that particular question.

1

1

1

6

HON J BOSSANO

May I ask the Honourable and Learned Member, Mr Speaker, whether in fact a classification of this nature is used in any department in the Gibraltar Police Force, and if so, whether that is going to remain or not.

HON ATTORNEY-GENERAL

Which classification?

HON J BOSSANO

"UK EYES ONLY" classification,

HON ATTORNEY-GENERAL

I do not know. I would have to ask the Commissioner of Police. I am not a Member of the Police Force myself.

HON J BOSSANO

Mr Speaker, could I ask the Honourable and Learned Member whether if there is such classification it is within the power of the Gibraltar Government to make a decision on it or whether that is the prerogative of the British Government.

HON ATTORNEY-GENERAL

It would depend entirely on whether it was an internal or external classification. If it was a document coming from outside the Gibraltar Government have no control over it. I would very much doubt, however, whether any document emanating from inside Gibraltar among the Police would have such a classification.

HON J BOSSANO

Well, Mr Speaker, I believe in the past decisions have been taken in Gibraltar and I think the Honourable and Learned Member may be helped in his investigations by one of the Government Ministers. But if in fact it is the case that it still happens that a decision can be taken in Gibraltar to classify a document in this way, a change of policy to alter that system, would that change of policy be possible in Gibraltar or would it also be the prerogative of the British Government. I am not very sure what the constitutional position is, Mr Speaker, this is what I am trying to clarify from the Honourable Member.

HON ATTORNEY-GENERAL

That is a question on which I would like notice. I am sorry.

HON M D XIBERRAS

Mr Speaker, I think that the view of the House has been expressed by the Chief Minister in what he has said, that this statement does not meet the motion which the House passed almost unanimously, but unfortunately the statement itself is, I feel, rather nebulously worded, and unless the mover of the original motion on the subject of "UK EYES ONLY" -I think it is his prerogative to do so - intends to raise the matter further in the adjournment and would certainly like to do so , in view of, as I say, the nebulous nature of the statement, to establish exactly what it is that has been agreed to.

SUPPLEMENTARY ESTIMATES (No.2) 1975/76

HON FINANCIAL AND DEVELOPMENT SECRETARY

Sir, I have the honour to nove that this House resolves itself into Connittee to consider Supplementary Estimates (No.2) of 1976.

THE HOUSE RESOLVED ITSELF INTO COMMITTEE

THE HOUSE IN COMMITTEE

Mr SPEAKER

As it is the custon I will ask the Clerk to call out the number and the Head, and then I will pause to allow members to raise any matter on the different items under the particular Head.

No.1 HEAD IV - EDUCATION

HON M D XIBERRAS

Mr Chairman, on the Technical College I always ask this question about any increases on the Government's contribution to the Technical College. How has this come about? It says 50% of general rates for the period of January 1950 to March 1975. Are the rates taken as a separate agreement?

HON M K FEATHERSTONE

Apparently, Sir, the rates are taken separately. They have been completely overlooked since 1950 and this has only just come to light.

HON M K FEATHERSTONE

Can I say something on item 10?

MR SPEAKER

Most certainly, yes.

HON M K FEATHERSTONE

D

You will notice that the marginal note says "Increased cost of cleaning materials and increase in maintenance work". I would like to bring to notice of the House, Sir, that a considerable amount of the increase in maintenance work is repairing the damage done by vandals at the Notre Dame and Boys Comprehensive Schools. This is most reprehensful, Sir, and I do hope the general public will assist the Government by reporting to the Police as rapidly as possible if they see any vandals around.

ITEM No.1 was agreed to and passed.

No.2 HEAD VI - FIRE SERVICE

HON W M ISOLA

Under the maintenances and running expenses of fire engines we were asked to vote £2,750: we are now being asked for a supplementary provision of £1,500, nearly 60/70% more, and the side heading says "increased costs". I cannot understand how it can be over 60% just in increased costs?

MR SPEAKER

No, no, I think the marginal note surely refers to item 14, or an I wrong.

HON W M ISOLA

No, Mr Speaker, I think I an right. Perhaps someone on the opposite side could explain this enormous increase which we are being asked to vote. Is it the running costs, or is it that one of the fire engines has broken down and repairs have had to be made to it. Could I have some information on that particular iten.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I much regret that I an not in possession of the full facts here and I shall have to rely on my memory of seeing this item come through some long time ago. As I recall it, however, it is a general increase in the maintenance and the running which perhaps was underestimated. I an afraid I cannot recollect precisely why it is now necessary to go now to £1,500. I think also there was some question of unforeseen repairs that had to be carried out.

As I say, I do hope the House will bear with me that I am speaking from

memory and that in the absence of my Honourable colleague the Minister I did not come fully prepared in detail on this particular item.

(

1

1

1

HON W M ISOLA

That is fair enough.

Perhaps I could be informed at a subsequent meeting.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, I will in fact make a point that the Honourable Momber gets the fullest information.

ITEM No.2 was agreed to and passed.

No.3 HEAD 7 - THE GOVERNOR

HON MISS C ANES

Can I have clarification on the marginal note. It says: "An additional sum of £500 for acting allowance and overtime underestimated".

Could I have clarification on the overtime?

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, the Honourable Lady should not assume that His Excellency is paid overtime!!

The overtime relates to the various police staff and messengers at Government House. The acting allowance of course relates to the periods when the Deputy Governor acts for the Governor, and this of course depends on the number of absences of the Governor.

ITEM No.3 was agreed to and passed.

No.4 HEAD VIII - JUDICIAL, Supreme Court was agreed to and passed.

No.5 HEAD IX - LABOUR AND SOCIAL SECURITY.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Sir, I have the honour to nove that all the words and figures as well as

the remarks in respect of the item appearing as subhead 17 under Head IX Labour and Social Security be deleted from the Schedule and that the sub-totals shown thereafter at the top and bottom of the third columns in each page of the Schedule, commencing with the figure of £52,634 at the foot of the third column on the second page, be accordingly reduced by the sum of £10,000 . . .

MR SPEAKER

I am afraid that we are going to have to take it by stages. We will take the first amendment now and when we get to the subsequent page we will move.

HON FINANCIAL AND DEVELOPMENT SECRETARY

May I then read it again, Sir. That would be the safest. I have the honour to move that all words and figures as well as the remarks in respect of the item appearing under subhead 17 under Head IX Labour and Social Security be deleted from the Schedule.

MR SPEAKER

Am I right in saying that you want the whole item out?

HON FINANCIAL AND DEVELOPMENT SECRETARY

The whole item out, Sir.

Sir, I must apologise to the House for bringing a supplementary estimate which is not entirely in a position in which it can be proceeded with. In this particular case it was originally put to the Treasury that an additional sum of some £10,000 would be required, but of that £10,000, £4,000 could be found from elsewhere within the vote. Subsequently, after the preparation of the Schedule, it was discovered that the whole sum could in fact be met by reallocation and, therefore, there is no need for this House to make a supplementary appropriation.

As I have said, Sir, I apologise for the fact that the Schedule has itself to be amended at this stage.

MR SPEAKER then put the question which was resolved in the affirmative.

The Schedule was amended accordingly.

HON A J CANEPA

I would like to make a statement on item 20 if I may, Sir.

Sir, in the latter part of last year two visits were made, by a recruiting team made up of a senior official of the Labour and Social Security Department and a fairly senior official of the Public Works Department, to Portugal in order to attempt to recruit some skilled labour to meet requirements of the Public Works Department. The initial visit was of a purely exploratory nature and contact was made with the Ministry of Labour in Lisbon. Subsequent to that our team was invited to return to Lisbon since the Ministry of Labour were in a position to make arrangements for some 20-odd skilled workers to be interviewed with a view to their possible recruitment to Gibraltar.

(

6

In fact the whole process of interviewing was a rather difficult one because it coincided with a number of curfews, and the whole uncertain political situation in Portugal and in particular in Lisbon, made this extremely difficult. Seven skilled workers were finally recruited and arrangements were made to brimg them over to Gibraltar. In the event only five turned up, and I regret to say, Mr Speaker, that out of those five, three have already returned to Portugal.

First of all the main reason for the difficulty in recruiting in Portugal undoubtedly seems to be the uncertain political situation there. Many of these men are very very reluctant to leave Portugal and leave their families behind. But the fact that three of them have returned to Lisbon after spending some weeks in Gibraltar brings up the second reason why recruiting is somewhat difficult: and that I am afraid, and I must admit it, is the nonsettlement of the Biennial Review. For as long as the basic wage of a craftsman remains at its present level of what, £15 a week, and another £3 something of COLA and Interim unconsolidated in the basic wage, the recruitment of skilled labour to Gibraltar is a somewhat difficult So I very much have, personally, Mr Speaker, proposition. and in my own ministerial responsibility, very much have a stake in the early settlement of the Biennial Review, which at least will bring about a basic wage for a craftsman somewhere in excess I believe of £30 a week. That might make matters easier, but I thought I ought to explain the position fully under this item.

HON J BOSSANO

Mr Speaker, may I ask the Honourable Member whether he does not agree that to have spent £500 and finish up with two workers has proved to be an expensive exercise, and does he think it is worth doing again.

HON A J CANEPA

D

Sir, I have a feeling that when the sums are done in fact it may not have yet spent the £500 on the seven men that were brought over. In fact the arrangements that we had in hand, bearing in mind that the Public Works Department were hoping to recruit some seventy men on a charter flight exercise, we could bring seventy men for about £1,000. When we were told by the Ministry of Labour that they had a possibility of rounding up some twenty-odd men, I myself in Council of Ministers asked for only half the provision. I do not think we have spent the £500 on the seven men. If we had, obviously it would not be worth it, it would be very very expensive. But in any case I can still answer his question, and that is that given the uncertain political situation in Portugal, and until the Biennial Review is settled, it may not be worthwhile certainly to go back to Lisbon. But we are keeping out contract and we are still hoping at a more propitious time to recruit labour from Portugal.

HON J BOSSANO

Could I also ask the Honourable Member whether workers who have their passages paid to Gibraltar have got to give any undertaking as regards the amount of time they work in Gibraltar, otherwise it can prove even more expensive if they come and spend a week here and then go back.

HON A J CANEPA

As regards the number of weeks that they would spend in Gibraltar working during any given year: in other words the problem of absenteeism?

HON J BOSSANO

Yes.

- 24 -

HON A J CANEPA

I do not think that in the case of Portugal it could be that serious. It is sufficiently far away from Gibraltar for workers not to be able to return every weekend.

HON J BOSSANO

And also I think, Mr Speaker, there is the question of their staying to work for the Government for example. I mean, are they free to go wherever they want to? I mean is this venture something that is seen by the Minister as part of his functions as Labour Minister or are we talking here of the Gibraltar Government recruiting as an employer?

(

HON A J CANEPA

At the moment Gibraltar Government is recruiting as an employer.

HON J BOSSANO

And will people, therefore, be required to stay in the employment of Gibraltar Government?

HON A J CANEPA

I do not know, Mr Speaker, whether they can be legally bound to do so. I am not sure what the contractual position would be, but obviously this is the aim. It would be undesirable obviously to bring someone over ostensively to work for the Public Works Department and then a week later his taking up employment in the private sector. But I think the contract ought to tidy the position up.

HON J BOSSANO

Could I also suggest, Mr Speaker, if a venture of this type is entered into again, there should be consultation with the Gibraltar Government Section of the Union that represents almost 90% of the Government employees. I believe the last time that particular Section made an official protest to the Industrial Relations Officer about their not having been told anything at all about the proposed recruiting in Portugal.

HON A J CANEPA

I understand that that is so. I do not think that it was done with any wrong motive, I think the thought was that the fact that the matter was formally being taken up in the Manpower Planning Committee meant that there was some consultation with the TGWU, in the sense that the Union representatives in the Manpower Planning Committee are TGWU Branch Officers. But I do accept the specific point that it ought to have been done really with the Gibraltar Government Section and we will consult them on a future occasion.

HON M D XIBERRAS

Mr Speaker, I would not wish to enter - nor would you allow it - into a long debate on the question of recruitment of labour, but I think that the Minister, with all the safeguards, all the qualifications that have been put as regards how the matter should have been dealt with, and the question of a contract, and Union consultations and so forth, is to be congratulated for taking such an initiative as to send a team out to Portugal. I think that it is a matter on which all members of the House are at idem, that there should be diversification of labour in Gibraltar, and the uncertain political situation which is apparent not only in Portugal but also in other places, should lead us all never to neglect the possible sources of labour for the future. I feel that this is an entirely worthwhile effort and I myself would not begrudge one penny of those £500 for the Minister having tried to recruit from Portugal. Where I disagree with him is that Portugal with an unemployment problem of some 300,000 and people coming in from Angola and so forth, appears to be a very good place for the recruitment of labour. And whereas at one time I pooh poohed the idea of recruitment in Malta, certainly because I thought it would not be met with success, I certainly think that Portugal is a good place to try. There is plenty of evidence of many Portuguese who come here to Gibraltar and settle, and they do very well.

Now, on the issue of consultation with the Union, I would absolutely encourage that because the whole business of providing Gibraltar with enough labour has been the subject matter of consultation for a very long time. Certainly when I was Minister for Labour all movement in this direction, direction of quotas and so forth, have been consulted with the Unions at length and in depth. But I would not like the Minister to be discouraged in his efforts to recruit labour from their particularly skilled and semi-skilled labour.

when it is shown to be necessary.

Mr Bossano has made several points in respect of the contract which I think are entirely valid. The Minister himself has made some points about the Biennial Review being settled. I would put it in a more general fashion and certainly the governing philosophy at the time of the last administration was that unless you had a higher wage, higher productivity, we could not afford . . . (

(

(

1

MR SPEAKER

Yes, but we should not

HON M D XIBERRAS

I do not intend to go on much longer, but I think this is a crucial . . .

MR SPEAKER

Yes, but we must not, under an item of £500 for the purposes of flying people out, we must review the whole labour situation in Gibraltar. That is what you are doing now.

HON M D XIBERRAS

I do not intend to do so, Mr Speaker, but the Minister has said that the non-settlement of the Biennial Review has inhibited recruitment, and I would say that I entirely agree with that. And furthermore, since there is more flexibility in the private sector than there is in the Government sector in these things, I would ask the Minister not to be discouraged if he can achieve some contact between Portugal and Gibraltar whereby some connection in the field of recruitment of labour can be made and maintained. I think it is of vital importance to Gibraltar.

HON A J CANEPA

I am very grateful, Mr Speaker, for all those remarks. I can assure the Honourable the Leader of the Opposition that I am not discouraged: on the contrary I have no doubt that we are confirmed in our view that Portugal is a good recruiting ground, and I feel confident that we will make a break through and we shall be recruiting men from Portugal in substantive numbers. I feel quite confident on that.

ITEM 5 was agreed to and passed.

No.6 HEAD XII - PUBLIC WORKS NON-RECURRENT

HON W M ISOLA

There are two items which I would like to make reference to, Mr Speaker. One is item 24, purely for clarification. Maxwelton - rehabilitation of property. We have been asked for a supplementary vote of £6,250. Am I right in thinking that this is the conversion of Maxwelton into two flats or three flats?

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, it is, I do know, a conversion but I am not sure whether it is two or three flats. It is certainly a conversion.

HON W M ISOLA

Mr Speaker, I do not know for what purpose but I assume it is for civil servants quarters?

HON CHIEF MINISTER

Yes.

HON M D XIBERRAS

Mr Chairman, could I ask the Government for what civil servants. Are they quarters for local officers or . . .

HON CHIEF MINISTER

That depends on the classification of the house when it is finished. The House voted some little time ago the purchase of the surrender of the lease which was given up by the lessee Mr Garcia. The work is being carried out now in order to house Government Officers. The semiority of the Officers I could not say because quarters are classified into what is called Bl, B2 and Al and A2 quarters, a classification which is worked out with the staff itself. These quarters avoid our having to hire expensive lettings and in addition encourage our young engineers and our young officers who come from abroad and want to stay here to do so, rather than to have to bring over expatriates who we would have to house anyhow. What the Government is aiming to do is to try and increase the number of quarters available in view of the fact that the number of officers is increasing.

MISS C ANES

How many flats will become available?

HON CHIEF MINISTER

I do not know. I think my friend on my left said that it would produce two flats. I cannot guarantee that but I know that the house will be put into the utnost practical use that it can be put to. (

HON J BOSSANO

Could I ask how the cost of this rehabilitation compares with the cost of the rehabilitation programme for ordinary nortals.

HON CHIEF MINISTER

I do not think that the people who are likely to occupy this are not going to be ordinary nortals. The fact that they are civil servants does not make then less nortal.

HON M D XIBERRAS

I do not know if my memory serves me rightly but was not the previous tenant or owner of this house given some Government accommodation in dxchange?

Who occupied Maxwelton before?

HON CHIEF MINISTER

Mr Garcia.

And he has just left it.

HON CHIEF MINISTER

Yes, he left it, he has other properties.

HON W M ISOLA

There is another item on which I would like a little explanation, item 73. We were asked to vote in the last budget £3,000 for improvements to the Tarik Bath, to which we naturally agreed, but now I see that we are being asked to vote a further sum of £3,500, that is over 100%. Can we have some details of why we are being asked to provide over 100% more. What sort of improvements have been carried out which have cost £3,500 more than the original estimate of £3,000: in other words £6,500.

MR SPEAKER

I think it is a snall sun to bring a Tarik Bath up to date anyway!

HON W M ISOLA

That is what I would like to know, Mr Speaker.

HON CHIEF MINISTER

This is the point. I would like to say this, Sir. I an speaking from my own knowledge but I know that the absent Minister is very keen on this. The place is used considerably by alien workers and people who have not got bathrooms, mainly people from yachts, because I understand that the facilities at the Marina are not that good, and that it has been redone completely. It had not been done for a very long time and the works that have been carried out now are much bigger. It does not produce sufficient revenue to pay for itself, but I know the Minister has it in mind to bring in some regulations increasing the charges for the services rendered. I can assure you that it is a very popular place and I think it is in the interest of everybody that as many people as possible should use the facilities.

HON W M ISOLA

I am not in any way objecting, I was just seeking clarification. I am very glad that this is being done because it was in very bad state of repair before.

Are they mainly used by?

HON CHIEF MINISTER

People from yachts and workers who occupy Casenates.

HON M D XIBERRAS

Can someone in the Government make a statement on the £26,265 extra for storn damage to the Water Catchments. £5,000 we have already voted this have we?

1

MR SPEAKER STORE DO DO DO DADAO DO D

We have voted £21,225.

HON M D XIBERRAS

We have noted this, but it is still in order to discuss this? I believe the last statement of the Government was that the whole area was not to be used again for the collection of water. These £5,000 are there for what, for tidying up?

HON CHIEF MINISTER

No, it is the wall that had to be built in order to protect the rest of the catchnent. This was underestinated. Once they got on with the work it was found that they had to dig rather deeper than expected to provide a wider and bigger wall in order to protect the undanaged part of the catchnent. This required nore expense. A preliminary estimate was made to make good the damage. What was not being made good was the replacing of the catchnent. It was found not to be economical having regard to the area and the cost compared to other more modern devices. This was to make good the damage and to protect the others from future damage.

HON M D XIBERRAS

The Chief Minister is very knowledgeable, I congratulate him on his knowledge about this.

HON CHIEF MINISTER

I always take an interest in water.

Would he also know whether the Minister directly concerned with this natter has had any second thoughts about resurfacing that area once again with sheet.

HON CHIEF MINISTER

No, I do not think he has had second thoughts, I think the cost of it is so vast that it could pay for about half of a distiller.

HON W M ISOLA

Again I notice under Public Works Depot at Catalan Bay, improvement, we were asked to vote £5,500, and now we are being asked to vote a supplementary of £3,500. On the note on the right hand side it says: installation of an ex-RE crusher including putting it into operation. Would you mind enlarging on the £3,500.

HON CHIEF MINISTER

Yes. This was what we considered to be a bargain. We obtained a good new crushing plant from the RE which was surplus to their requirement, and the cost that was first voted for was the cost of the plant itself. This was the question of replacing it and adding additional machinery to be able to safe-guard the emanation of dust. It is a much more complicated form of avoiding the dust which is a nuisance to Catalan Bay.

ITEM 6 was agreed to and passed. The Honourable J Bossano voted against Iten 24 (new) Maxwelton - Rehabilitation of Property.

MR SPEAKER

Perhaps the Honourable the Financial and Development Secretary night like to amend the figure at the bottom of that page.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Sir, I beg to nove that the figure appearing at the bottom of column 3 on page 2 . . .

MR SPEAKER

And the one at the beginning of the next page

HON FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Mr Speaker, that the figure at the botton of column 3 at page 2, which presently reads \pounds 52,634, be anended to read \pounds 42,634; and at the top of column 3 on the following page, the same amendment should be made.

1

This was agreed to.

No.7 HEAD XIII - LAW OFFICERS was agreed to and passed.

No.8 HEAD XIV - HOUSE OF ASSEMBLY

HON M D XIBERRAS

Does the Honourable Member sitting at the end of the row wish to say a few brief words about his passage to India - with due respect to Ian Foster (laughter).

HON I ABECASIS

Sir, I submitted a report to the Honourable Speaker and if the Honourable the Leader of the Opposition wants a copy I will very gladly send him one. (laughter).

ITEM 8 was agreed to and passed.

No.9 HEAD XVI - MISCELLANEOUS SERVICES

HON W M ISOLA

One shall question, Mr Speaker, I see that under Passages for Officials, we were asked to vote £20,000, now we are being asked to vote a further $\pounds 5,000$ and the note says "Increase in cost of passages". Have the fares gone up by as much as 25%, or is this an underestination?

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, I an advised that the cost of passages were increased from July 1975 from £67 to £87.50 Tourist Class (that is return); and from £102.20 to £128.80 First Class. In addition it will be of interest to the House to know that on the basis of the £20,000 originally estimated, which of course did not take these increases into consideration, up to the end of October last year, the total expenditure was in fact £19,685. So that the increase which is now being sought of £5,000 is not proportional to the expenditure over the first six months but is considerably less.

HON J BOSSANO

Mr Speaker, these passages for officials. This is for certain civil servants above a certain level who are entitled to free passages to UK? Could I know exactly who is entitled to these free passages to take a holiday in UK?

HON FINANCIAL AND DEVELOPMENT SECRETARY

As far as I an aware this vote covers the cost of all official passages, that is to say, passages paid for by the Government for officers going on duty overseas.

HON M D XIBERRAS

It would be better to organise a charter flight for the whole lot and get it on reduced terms.

MR SPEAKER

I would advise the Connittee that this iten goes over the page.

HON MISS C ANES

Mr Speaker, may I have a clarification on subhead 8, Office Equipment for which we are asked to vote £1,650. What does this office equipment consist of?

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, that is a re-vote: in other words the noney was voted last year but not all the equipment arrived, and therefore it was assumed when the Estimates for this year that it would have arrived. It had not arrived and therefore of course the bills have got to be paid.

HON M D XIBERRAS

On Iten 9, Mr Chairnan, £22,000 extra, I gather for printing and stationery: new requirements not provided for and increased costs. I seen I recall the Honourable the Chief Minister in a moment of desperation saying that he had given strict instructions that a strict economy should be exercised because of the increases in prices in paper to the civil service generally because he was alarmed by the way the prices were increasing. Is it that he has not been very successful on this or is it in fact that there is more work being done, or is it the Biennial Review? Can the Honourable and Learned Member give an explanation?

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, none of those things are on my list, but the first major item is that additional stationery had to be ordered for what is officially known as the three-in-one record system which is some mysterious means by which the Establishment Division keeps track of everybody that is on the roll, I am told. That was £2,000.

1

1

There was the stationery for the new accounting machine to which I referred this morning and which was delayed in its arrival, and there were envelopes for rent cards.

Now, in addition to that there was an order for tombola tickets and that cost £9,800, which of course is reimbursable; and overall an allowance, in addition to this, for ordinary replacement stationery of £5,000 has been allowed, making a total of £22,000 in all. As I said, of that virtually £10,000 is reimbursable for the tombola tickets which are sold.

HON M D XIBERRAS

In Government over £50,000 a year are spent in stationery and printing.

HON CHIEF MINISTER

I will say that I still keep on trying to make people conscious of the needs for economy, not because it is going to affect the ability of the service but because there is too much wastage. Anybody who works in any office - I can say this in my own Chambers - knows that there is too much wastage: people do not care about it, but in the Secretariat all the papers which are not classified are used for writing drafts from the Administrative Secretary down. Even in my office I use these as original drafts.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Could I ask just one question of the Honourable the Leader of the Opposition whether or not they would object in future if papers such as this utilised both sides of the paper.

HON M D XIBERRAS

Not at all, Mr Chairman, I have no objection if he prefers to print on the edge of the paper.

MR SPEAKER

Any other items over the page?

HON MISS C ANES

Yes, Subhead 32 Financial Assistance for the extension of Catalan Bay Social Club. How is this financial aid given, is it on a loan basis or is it a grant. Are other clubs also being given this aid?

HON H J ZAMMITT

This was as a result of an extension the Social and Recreational Club at Catalan Bay whereby they were asking for some form of a loan, soft loan, I forget exactly what the loan came to, very, very soft indeed, and they were contributing I think a similar sum if not more than the loan they were asking for. And of course they agreed to an increased rent which will bring it back in time, I assume.

HON MISS C ANES

I understand and I do not know whether this will be in order in this item, that the Moorish Castle Estate Club had also approached Government at one time for a loan to extend their premises and this had been denied because it was a profit making club. Why has this differential been made between one club and the other? I may be wrong but this is the information I have.

HON I ABECASIS

If I recollect, Mr Speaker, when the Moorish Castle Social Club asked for a loan they wanted to use a part of the building which the Museum Committee denied because of historical value.

HON MISS C ANES

Cannot it be possible that the extension to this club was to have been used only for the purpose of having ladies nights, for the older members of the club to have a quiet area, rather than to mix up with the younger section who are rather noisy. This I think was the intention of this club to ask for the enlargement of the premises, in order to provide further facilities to the older members.

HON CHIEF MINISTER

I cannot remember any other than the one mentioned by Mr Abecasis who used to be a member of the Committee. 1

HON MISS C ANES

Sir I understand that there is a new committee now and perhaps they are looking into it.

HON W M ISOLA

It is the policy of the Government, therefore, that if any club which is non-profit asks the Government for financial assistance for the extension of their premises they will also be considered in the same light as the Catalan Bay Club.

HON H J ZAMMITT

One cannot be as generous as the Honourable Member seems to imply. Obviously we wish to assist everybody that we possibly can. In these particular circumstances they had raised themselves sufficient money. Let me quite honestly say that when they originally set out to do this job it was within this contribution. It was at the end of the day when the project was really agreed to that the costs had gone up and it was then that they were forced to come to Government and ask for a loan. In the case of Catalan Bay - I cannot speak for other clubs - Catalan Bay did find their own finance themselves, I think they have some Brewery also helping with a bit of finance, and our own contribution. Incidentally, may I say too, Sir, that Catalan Bay, although it is a club run by a Catalan Bay Recreational Association, the property is Government's.

HON MISS C ANES

Is not the Moorish Castle Estate Club also on Government property?

HON H J ZAMMITT

Yes.

HON M D XIBERRAS

Mr Speaker, I do not wish for a moment to deny the people in Catalan Bay the club, or people on any other part of the Rock, any contribution that is thought desirable, but the Minister has not satisfied me that this has been done in consideration of the needs of all other clubs that might be interested in developing their facilities.

It is almost £2,000 and can the Minister recall any other example where any other particular established club has been given £2,000 to develop their premises?

HON I ABECASIS

Sir, Glacis Club has been given new premises as a result of the demolition of the old premises which has cost Government a pretty penny.

HON M D XIBERRAS

Will Government therefore ensure that the same criterion is applied to any other club when they apply. I am thinking of clubs down south which are being developed and might need the necessary fund. The other thing, Mr Speaker, is that I take it that this does not come into the Sporting and Cultural vote Association at all. The application was not made originally for this.

HON H J ZAMMITT

No, not from the Sporting and Cultural Association Fund.

HON FINANCIAL AND DEVELOPMENT SECRETARY

With your permission we should turn back to page 3 and I move that the figure at the bottom of column 3 be amended to read £73,038, and the same alteration to be made at the top of page 4 on which we have already started.

This was agreed to.

ITEM 9 was agreed to and passed.

No.10 HEAD XIX - PORT

HON J BOSSANO

Admiralty Rent and Berthing Charges, Mr Speaker. This extra £1,076. I take it that the Government collects from the ships and passes the money on to the Admiralty. Could I ask whether the Government charges the Admiralty anything for this service? It is acting as rent collector for the Admiralty, I take it.

HON CHIEF MINISTER

We do not collect for them. We rent this place from the Admiralty and we make berthing charges and we pay prorata royalty.

HON J BOSSANO

What I want to know, Mr Speaker, is whether we are doing all this for nothing. I mean whether in fact the Government of Gibraltar, which sublets as it were what it rents from the Admiralty, charges the same price to the ship as the Admiralty charges the Government?

HON CHIEF MINISTER

We make our own charges, in some cases it is a profit, in other cases we do not. I remember we did do away with berthing charges at one time to entice cruise ships to come in and so on. Overall I think we make a profit.

ITEM 10 was agreed to and passed.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Sir, at the bottom of page 4 the figure of £93,270 to be amended to read £83,270, and the same alteration at the head of page 5.

This was agreed to.

HON ATTORNEY-GENERAL

On a point of order. The House does not vote on these figures at the bottom and top of each page that are now being amended, they are merely there for guidance. Is it therefore necessary that a motion should be taken each time.

MR SPEAKER

Well I think that later on, if I am correct, the final amount must be correct. The final amount is arrived at by the addition of the amounts carried from page to page.

HON ATTORNEY-GENERAL

It is an automatic change without the need for a motion. It is not a figure on which you vote.

MR SPEAKER

It is not a vote, I see your point, the amount need not be voted, just the same as the full amount is not voted either. You are completely and utterly right to that extent.

No.11 HEAD XX - POST OFFICE AND SAVINGS BANK was agreed to and passed.

NO.12 HEAD XXI - PRISON

HON MISS C ANES

May I ask some question regarding the maintenance of the Prison. This increase in population of the prisoners, are these prisoners given an opportunity to work a little and produce something in return? 1

1

1

1

đ

HON A J CANEPA

I had already intended to make quite a statement later on in the proceedings when we come formally under the Head of the whole prison, but I do not mind saying so in anticipation. I will be giving some details of the work that they are doing.

It is a fairly new venture, but the Superintendent of the Prison has circulated amongst Government Departments what work they have that prisoners can do, for instance painting the chairs that are put out at St Michael's Cave, and this has been done after consultation with the Unions, because it was work that no one else would have done.

HON MISS C ANES

This is a sort of wage earning scheme.

HON A J CANEPA

Yeş.

ITEM 12 was agreed to and passed.

No.13 HEAD XXIII - REVENUE was agreed to and passed.

No.14 HEAD XXIV - SECRETARIAT

HON J BOSSANO

b

b

These additional flats owing to recruitment. Is this connected, Mr Speaker, with those Clerks of Works that we heard about recently, or are we having other expatriate officers recruited as well?

HON FINANCIAL AND DEVELOPMENT SECRETARY

This is not directly connected with the Clerks of Works, but I have here a list of that accommodation which will be required when, for example, the following eventually appear:- Housing Surveyors; a Material Engineer; a Curriculum Co-ordinator; the Headmaster for the school for Handicapped Children; and a Quantity Surveyor. And there will obviously be two more flats required in due course for two other Quantity Surveyors.

This gives Honourable Members some idea of the advanced provision which has to be made for people who are in the pipeline.

HON J BOSSANO

Mr Speaker, I take it that the Government has already decided that those people cannot be recruited in Gibraltar.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Mr Speaker, they have.

HON M D XIBERRAS

Do I understand from Item 20 that the Sports Centre is now officially open and in use.

HON H J ZAMMITT

Mr Speaker, I am sure the Honourable the Leader of the Opposition is fully aware that the Stadium is not in full operation, but I would like to say that I will be making a statement subsequently on this.

HON J BOSSANO

Mr Speaker, could I ask the Honourable Member what these £550 increase costs are due to.

MR SPEAKER

There is an explanatory note.

HON J BOSSANO

There is additional staff which accounts for £3,300, and there is a revote which accounts for £1,200, and there are increased costs of something that was intended to be provided originally, I take it, and that it is costing more than anticipated. Could I have an idea what it is?

HON H J ZAMMITT

I am sorry I do not know. I will certainly find out and inform the member.

(

HON M R XIBERRAS

What staff, Mr Speaker, is employed now. We have had a lot of debate about this in the House. What staff is it intended to employ at the Sports Centre.

HON H J ZAMMITT

Subject to making a mistake one way or the other, Sir, the total staff of the Stadium is the Sports Manager, the Sports Officer, a Clerk/Typist (one person) two Supervisors, 4 Attendants, 1 Handyman and 5 Groundsmen, together with I think something like 6 Charwomen on part-time basis. I could be wrong one way or the other but I think that is the figure.

HON M D XIBERRAS

If he had one more, Mr Speaker, he could make up two teams!

ITEM 14 was agreed to and passed.

No.15 HEAD XXVI - TOURIST OFFICE

HON W M ISOLA

THE REPORT

In the absence of the Minister for Tourism I do not want to say very much on this item, but I am certainly going to abstain on this particular vote. We are being asked to vote £1,810 for the creation of a new post of Assistant Public Relations and Sales Officer. I saw recently in the Gibraltar Chronicle that the previous Public Relations Officer had now resigned and that we had now employed a husband and wife as Public Relations Officers, a joint combination.

I think this item would be dealt with far better obviously if Mr Serfaty were here, and since he is not here and in deference to him, we are not going to vote against it, but I at least am going to abstain on this particular vote.

On a vote being taken, the following Honourable Members voted in favour:

The Honourable I Abecasis The Honourable J Bossano The Honourable A J Canepa The Honourable M K Featherstone The Honourable Sir Joshua Hassan The Honourable A P Montegriffo The Honourable H J Zammitt The Honourable J K Havers The Honourable A Collings

The following Honourable Members abstained:

The Honourable Miss C Anes The Honourable L Devicenzi The Honourable W M Isola The Honourable M D Xiberras

an an instant as first and a first and a second as Instant as a second as a s

Item 16 was accordingly passed.

No.16 HEAD XXVIII - CONTRIBUTION TO IMPROVEMENT AND DEVELOPMENT FUND

HON J BOSSANO

May I ask, Mr Speaker, to what extent the £240,000 has already been used, or it is anticipated will be used in the current financial year? I notice that from local funds there is provision in the other supplementary estimates, but I would like to know how far we have gone, or whether we are likely in fact to use the £240,000 on local funds projects before the end of this financial year.

4

4

1

•

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, first of all in relation to this £240,000 itself, as it stares us in the face here. Of course it has not been used because it has not come out of the Consolidated Fund, and that is what this particular estimate is to do. Now, as regards the other question: will it be needed; the answer, Sir, is very definitely, yes, and the figures that I have got here which relate to February, and it is very much an estimate in February, will show that we shall probably end up the year, including £240,000 plus the £500,000 which will be borrowed, we shall probably end up this financial year and I am making no promises about this because figures of course are subject to change between now and the end of the year - we shall probably end up with a small credit of £20,000 on the Improvement and Development Fund, probably. So that these £240,000, if it is not trans-ferred, of course we shall have a deficit of something like £200,000.

HON M D XIBERRAS

Could the Honourable Member, it is a large sum of money, £240,000, and contributions to the Improvement and Development Fund, as the Honourable Member should know, have been the subject of long debates in previous years, particularly at Budget time when there have been insinuations from Honourable Members on this side of the House that the Government is tucking away money when it does not require it just before the budget. Now, could }

the Honourable Member give an indication as to the apportionment of these funds, a rough indication as to what projects they are to be devoted?

I remember on one occasion we had a very long debate about some machinery for the Refuse Destructor which was supposed to arrive just before the 1st of March and in fact this made all the difference as to whether Government needed to transfer this money out of the Consolidated Fund into the Improvement and Development. And as luck would have it at that time it was not required despite Government assurances to the contrary for a very long time after the 31st of March. So the Honourable the Financial and Development Secretary facing his first Budget now in the House might I think be alerted to this and to the suspicions of Honourable Members on this side.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, I am glad of any forewarning. However, I do think that a lot of the suspicions, if I may with greatest respect say so, are probably due to perhaps not the fullest understanding of the way that the Improvement and Development Fund is in fact financed.

The Honourable the Leader of the Opposition asked me if I could give any indication how this is to be apportioned. No, Sir, I cannot because this particular sum of £240,000 is not itself and cannot itself be broken down and earmarked for this, this and some other project. It goes into the total amount which the Government requires in order to carry out that programme of works for which it is not in receipt of sums from any other source mainly, in the wast majority of cases, in almost overwhelmingly, British Development Aid.

Now if the Honourable Member will refer to the estimates which were approved, he will see in the financial statement the clear indication of Government's intention at last year's budget to transfer £240,000 from the Consolidated Fund to the Improvement and Development Fund. And, moreover, my predecessor, and I have checked this myself, specifically stated that that was the intention when he made his Budget statement last year.

Moreover, Sir, in the summary of receipts appearing in the approved estimates show that the total as then estimated receipts into the Improvement and Development Fund, which includes all the British grants together with the amount raises by loans, but not the £240,000. It was £3.614 millions. And that is against a total expenditure of £3.615 million. But then you have to go to the financial summary at the beginning of the estimates and refer to the fact that the year started, the balance on the 31st March 1974, was a deficit of £306,000, and the estimated deficit on the 31st March 1975 was £199,821. And that, Sir, accounts for the transfer now, in order to balance the book, of £240,000, with, as I say, my own provisional estimate that in fact we shall end this year probably with a small surplus of £20,000. I think you will find the figures pretty well add up.

1

(

(

(

HON M D XIBERRAS

I am glad there has been a departure of the line of thinking, the members being led into believing that it is a certain number of bills that have to be paid before the 31st of March, rather than expenditure already incurred. I think that might make the situation clearer.

I have not got a copy of the estimates of revenue at the moment here so I will take it for granted what the Honourable Member has said. But if the intention was in fact as stated at the beginning of the year, to make this transfer, it is for work which I assume has already been done or, to your knowledge, the Honourable Financial and Development Secretary's knowledge, is to be done before the 31st of March.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Yes Sir. At the present moment, as we stand here at the present moment, the Improvement and Development Fund is heavily indebted to the Consolidated Fund, and we are awaiting, and hopefully we shall get before the end of the Financial year, a substantial payment from Her Majesty's Government. But even with those payments, and taking into aonsideration the amount of expenditure which we forecast, work is going on now for which bills have not been presented and which will go on until the end of the year, as I said we come up having transferred this with something of the order of a small credit.

But I can assure the Honourable the Leader of the Opposition that this is not required simply in order to pay the bills as they pile in. It is a calculated assessment of what is necessary to bring the Improvement and Development Fund more or less into balance as the year closes and the accounts are closed.

HON J BOSSANO

May I ask, Mr Speaker if I may, the Honourable Member about the issue of debentures, the \pounds_{Ξ}^{1} million. I take it that the Government has been successful in selling \pounds_{Ξ}^{1} million worth of debentures.

HON FINANCIAL AND DEVELOPMENT SECRETARY

No, Sir. The Government has been singularly unsuccessful in selling the debentures. The figures that I have here of actual subscription, that is to say of people who have come along with their cheque and actually pay it in, is £45,000 only. We have the expectation, and we have got evidence for this, that before the 31st of March there will be a further sum of £55,000, and possibly a little more. So that it looks at the moment that we shall end up, having collected from the public about £100,000. The balance of £400,000, Mr Chairman, the underwriters will have to be called in, to wit, other Government funds.

ITEM 16 was agreed to and passed.

The House resumed.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, I propose that the votes detailed in Supplementary Estimates No.2 of 1975, amended as to vote 9, be approved.

MR SPEAKER then put the question which was resolved in the affirmative.

Supplementary Estimates No.2 of 1975/76, as amended, was passed.

Those in favour, those against, passed.

Supplementary Estimates Improvement and Development Fund No.2 of 1975/76.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, I have the honour to move that this House resolves itself into committee to consider Supplementary Estimates Improvement and Development Fund No.2 of 1975/ 76.

6

1

(

(

This was agreed to.

THE HOUSE IN COMMITTEE

MR SPEAKER

We will of course follow the same procedure; the Clerk will call the Head and the subhead.

IMPROVEMENT AND DEVELOPMENT FUND - (a) HOUSING, was agreed to and passed.

(c) MEDICAL, was agreed to and passed.

(e) OTHER DEVELOPMENTS.

HON J BOSSANO

I note that the additional sum is required to meet the cost of the lowest tender. Is this an indication of the disparity between the cheaper rate at which the Government can get work done by outside contractors, and what its own experts suggest should be a realistic figure?

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Chairman, in fairness I think that when one considers how long in advance of going out to contract the estimate is prepared, it is extremely difficult, without running the risk of grossly inflating possibly the estimate, it is very difficult in some cases to get very close, and in fact in this case the margin of error was virtually £18,000.

HON J BOSSANO

D

Mr Speaker, has the Government thought of the possibility of allowing its own Public Works Department to submit tenders for jobs that might otherwise go to contractors?

MR SPEAKER

It is being suggested that the Public Works should tender as a contractor and do the work themselves.

HON FINANCIAL AND DEVELOPMENT SECRETARY

I am not really quite certain how the Government tenders to itself, but if as I think what is meant here is, why does the Government not do the job itself by direct labour, then this would . . .

HON J BOSSANO

That is not the question. In fact, Mr Speaker, a number of Local Authorities in UK do allow their own direct labour department to compete with outside contractors on a strict price basis. Now, I think a start has been made by the Gibraltar Government with using Job Price Contracts to this extent. I am thinking of an expansion of this into something bigger.

HON CHIEF MINISTER

I know the Minister for Public Works is all the time saying he has not got enough for the direct commitments he has to carry out repairs to housing and things like that. There is not the labour available.

HON MISS C ANES

Sir, with the work the Public Works Department has in

repairing roads and sewers and so on, I do not think they would be able to undertake that kind of work.

HON M D XIBERRAS

Mr Speaker, this is one of the pillars of the Government development programme to date, the cargo Handling Shed. It is said that certain alterations were carried out to the design following representations of one of the companies that was supposed to use this Cargo Handling Shed at a particular time. I was wondering whether the increased costs was in any way due to some specification which this company put forward. May I also add that another company which was also at the time expected to use the shed felt rather agrieved that its own suggestion had not been taken into account in the same manner. I wonder if there is any truth in that?

1

ſ.

ſ

(

1

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Chairman, I cannot say whether there is any truth or whether there is not any truth in that, but I will follow this up and when I have some information I will let the Honourable the Leader of the Opposition know.

HON M D XIBERRAS

Is the work now finished, Mr Speaker, on this Cargo Handling Shed?

HON FINANCIAL AND DEVELOPMENT SECRETARY

Even that I am afraid I do not know as a fact. Again I will add it to my information.

The item was agreed to and passed.

(f) MUNICIPAL SERVICES - (a) General Rates Account

HON M XIBERRAS

What is the £20,351 due to? I know it is a revote, but in respect of what work?

HON CHIEF MINISTER

These are the services for the new development in Gardiners Road which is repayable to the Government.

The whole of the services water, sewers, electricity and everything. In fact, Gardiner's Road has been closed for about six weeks already whilst this work is being done.

HON M XIBERRAS

D

My question is directed, Mr Speaker, at how comprehensive the laying of these services is. Are the services to the houses that have already been built, or are the services being laid for all the houses that it was intended to build and if it is comprehensive laying of services, has the Government had account of the obligations of the contractor who had his contract for comprehensive development of the site and if the Government is going to meet its part of the commitment in laying services comprehensively, will it ensure that the contractor has developed the site comprehensively as well?

HON CHIEF MINISTER

Yes, this is very much a matter which I am sure concerns everybody but the bulk of this money, if not all, I am not quite sure, but the bulk of this money is recoverable from the whole of the development so that if there is a plot that has not been developed when it comes for development they will have to pay their share of it but the services will be there laid for them and this takes into account the contribution that must be made by the person who should have developed and has not developed. In fact the delay has been because of arguments about how much that should be.

HON M XIBERRAS

Therefore there have been other delays, Mr Specker, in respect of this development. What I want to ensure is that the House is voting money in respect of a project which was let out to a developer on certain at the time thought to be strict conditions of comprehensive development. The evidence now shows that this development has taken place piecemeal. I myself have expressed doubts in this House to the point that the Attorney-General said he could not decide one way or the other whether there was any evidence of separate or individual developments within the main contract to the developer at one time and my concern now is, are we voting money now on top of that, are we voting money for the whole development when the contractor has not fulfilled his obligations of comprehensive development?

1

HON CHIEF MINISTER

I think that whether the contractor has completed his obligations for the whole of the development or not it envisages their paying their share as if they had. That is to say, because they have not developed they are not going to get away without paying their share of what would have had to be developed if the development had gone up. This, I think, has been the bone of contention which has now finally been ironed out with the developer.

HON M XIBERRAS

This, Mr Speaker, would be quite unspeakable if this were the case of course, if one were to lay down services for houses that were not going to be built eventually by the developer.

HON CHIEF MINISTER

It is going to be paid now by the developer.

HON M XIBERRAS

It is going to be paid now?

HON CHIEF MINISTER

Well, I think this is the intention. The figure which has been settled, as far as I can remember, provides for the payment by the developer in anticipation of what services he will require when he developes.

HON M XIBERRAS

In other words he is going to pay for the whole lot now. This is very important.

HON CHIEF MINISTER

If I am wrong I will make a correction but I am pretty sure I am right.

HON M KILERPAS

I have had this one in my bonnet for quite some time because I did make certain suggestions in this House that the developer himself had not developed the whole of this In fact I was asking whether there was any site. evidence that the developer had sold the plots of land and allowed individual persons to develop each site separately. And I was not at all satisfied with the reply, if I may say so, given by the Honourable and Learned Attorney-General at that time. I think, in equity, if Government is going to fulfil its part of the bargain, if it is going to lay down all the services, then it is not good enough simply for the developer to say "I am going to pay everything now", and of course I would welcome at least an assurance that he is going to pay for everything now and not wait until he has sold other plots of land, if he has sold them, but that he intends to complete that development in the time stipulated by the contract. Allowances can be made but in certain meetings which I have held I have not received assurances that there is a real will to get that development completed. I have seen it slowed down and I would not like to put my name to this amount of money for services unless I receive assurances to that effect.

HON CHIEF MINISTER

I cannot go any further because really I am speaking from general knowledge of looking at minutes of the Development and Planning Commission which my colleague who belongs to it says that there has not been anything there recently, but where I think there has been some movement was that a revised plan from the developer was approved on the understanding - this I remember perfectly well - on the understanding that it had to be completed by a certain date.

HON M XIBERRAS

Mr Speaker, I am grateful for the elucidation which the Hono rable and Learned the Chief Minister is trying to bring to this matter. However it is, as I say, a matter of some importance and therefore I would not vote in favour of this because I feel . . .

MR SPEAKER

I think the answer that the Chief Minister is giving is clear, that to the best of his recollection the developer is liable to pay for the contribution to services now and not when he develops. He cannot give a complete assurance because he would have to refer to the pertinent papers.

HON CHIEF MINISTER

I will certainly inform the House otherwise if I find the facts after adjournment.

HON M XIBERRAS

Mr Chairman, for me that is the least that could happen, that the developer should pay everything now. What I am saying is that if the Government feels that the developer is under some contractual obligation to the Government to finish the work in a particular time, then the Government should insist that that work should be done as quickly as possible and should tell the House; "Well, yes, the developer has suggested that this should go there but that the building should take place in this order" and something factual before the House agrees to vote services for that area. I would not normally insist on this sort of condition but in view of the circumstances and in view of unsatisfactory answers I have had to my questions before and in view of the haphazard nature of this development, I think my objection would be in order. Therefore I would propose to vote against it unless the Government would agree to defer it.

HON CHIEF MINISTER

No, I am afraid that we must take a vote and I will make clear what the position is. I appreciate the Honourable Members reservations but I think that as far as we are concerned this is a commitment which the Government has to get the services done and then get repaid - and the Government will see that they do get repaid - and in any case I will try and get more information, if not during the course of this first part of the session at a later part, and make a statement on it or get someone to do it.

HON M XIBERRAS

If the Government has a hold over people who might be tempted to speculate on land like that it should use that hold and I am asking the House to use it now.

On a vote being taken on head (f) Municipal Services (a) General Rate Account 1 Gardiner's Road - Services the following Honourable Members voted in favour:

The Honourable I Abecasis The Honourable A J Canepa The Honourable M K Featherstone The Honourable Sir Joshua Hassan The Honourable A P Montegriffo The Honourable H J Zammitt The Honourable J K Havers The Honourable A Collings

The following Honourable Members voted against:

The Honourable Miss C Anes The Honourable J Bossano The Honourable L Devicenzi The Honourable W M Isola The Honourable M Xiberras

Head (f) Municipal Services (a) General Rate Account 1 Gardiner's Road - Services was accordingly passed.

MR SPEAKER

So we are now considering item (4)(5) and (7) of Municipal Services.

HON M XIBERRAS

Mr Speaker, Item 4 New Sewage rising main from Bayside to Line Wall Road. I take it that this is as a result of the survey by the Canneries.

HON CHIEF MINISTER

That is right. It is major works, further amounts will be wanted for other parts.

HON M XIBERRAS

That is what I was going to ask. Does the Government now have an indication of what work is now necessary, roughly.

HON CHIEF MINISTER

Well, I think the Minister will make a statement in connection with the estimates because it is a major work over a period because unfortunately parts of the sewer have been found to be in a very bad condition.

HON M XIBERRAS

I take it it is essential work.

HON CHIEF MINISTER

Absolutely essential.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, it is the intention that for the balance to do the still essential but not quite so imperative urgent work, we shall be seeking development aid.

HON J BOSSANO

Is this work going out to tender or is a contractor doing it or is it being done by direct labour? HON CHIEF MINISTER

It is being done by direct labour.

MR SPEAKER put the question which was resolved in the affirmative and Items 4, 5 and 7 of Head (F) Municipal Services was accordingly passed.

(G) CAR PARKS

HON MISS C ANES

Is the sum of £5,180 for additional car parks or is it for repairs to the existing ones. I know it is a revote but I would like clarification on this.

Sir, I am aware that it is the Minister for Public Works who could answer my question, but as car parks affect us all, is anyone able to give an answer.

HON I ABECASIS

It must be appreciated that the money was voted last year and it is only that the bills have come in late.

HON MISS C ANES

I know this, but what I would like clarification on is whether this is for additional car parks, or for repairs.

HON CHIEF MINISTER

Yes.

The item was agreed to and passed.

The House resumed.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, I move that the votes detailed in Supplementary Estimates of the Improvement and Development Fund (No.2) 1975-76 be approved and that the sum of £153,569 be appropriated to meet the expenditure detailed therein.

MR SPEAKER then put the question which was resolved in the affirmative.

1

0

Supplementary Estimates Improvement and Development Fund No.2 of 1975/76 was approved and the sum of £153,569 was appropriated to meet the expenditure detailed therein.

MR SPEAKER

We will now recess until tomorrow morning at 10.30.

The House recessed at 5.15 p.m.

THURSDAY THE 4TH DAY OF MARCH 1976.

The House resumed at 10.30

BILLS

FIRST AND SECOND READINGS

The Red Ensign Club Committee (Repeal) Ordinance, 1976.

The Honourable the Attorney General moved that a Bill for an Ordinance to repeal the Red Ensign Club Committee Ordinance, Chapter 105, be read a first time.

MR SPEAKER put the question which was resolved in the affirmative.

The Bill was read a first time.

HON ATTORNEY GENERAL

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

The Red Ensign Club in Engineer Lane was originally opened in 1872. It was then called "The Sailors Home". A lease was granted of the property to three persons; the Captain of the Port, who at that time was also the Sénior Naval Officer, the Police Magistrate; and the Chairman of the Exchange Committee and to their successors in office. From time to time further leases were granted, the latest being in 1950 for a period of fifty years. In 1950 we enacted an Ordinance incorporating the Committee as the Merchant Navy Club Committee. It subsequently became the Red Ensign Club Committee to enable them to deal with land and the Ordinance gave the Committee power to "buy, sell or lease land or borrow money and do all things for the proper and efficient running or the improvement of the Red Ensign Club including the making of rules and regulations for the governance and control of the Club."

It will be appreciated that the Ordinance did not control the way in which the Committee administered its funds, these were of course private funds, and such funds were vested in the Committee.

For the past few years it has become apparent that the Club has outlived its original purpose of providing accommodation for merchant seamen whilst in Gibraltar and indeed only a few seamen are now using its accommodation. The majority prefer to be lodged in local hotels, and of course at the expense of the owners of the ship not of the Gibraltar Government. Consequently the Club has sustained an annual loss which was in the region of £3,000 in 1975, and there are absolutely no reasons for believing that this loss will decrease.

If the Club were to continue to remain open its assets would be exhausted in about 5 years, and in consequence it has been decided by the Committee, with reluctance, that the club should close. And I may say that the Gibraltar Shipping Association have stated that they have no wish for the Club to remain open, they do not see that they will have any further use for it.

At present there are some 25 years of the lease to run but it has been agreed that the lease will be surrendered to Government in return for the payment of approximately £6,300 as a recompense for the improvements made to the property by the Committee at its own expense, and of course that is the value placed on the building with another 25 years to go. If I could add in passing, it is hoped that there will be a lease to the Stevedoring Company with a consequent release of certain other property which the Stevedoring Company at present uses in the Port. But that is not really the concern of this particular Bill, it is for the information of the House.

When the Club closed on the 31st of December last year the Committee had some £16,000 in their hands, to which will be added the money received on the surrender of the lease, and it is proposed that these moneys will go into a trust fund to be set up and administered for the benefit of merchant seamen in Gibraltar.

Now, as the purpose of the original Ordinance has disappeared entirely, there is no Club to deal with and no land to deal in, it has been decided that the Ordinance should come off the Statute Book, and that is the reason for this Bill today. ¢

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

MR SPEAKER then invited discussion on the general principles and merits of the Bill.

HON M D XIBERRAS

Mr Speaker, the disappearance of the Red Engisn Club is a matter for regret because it is something of long standing in the community. I think 1871 was quoted as the date of it institution. It appears that the financial facts of the matter are such as to leave the operators of this Club with no alternative and, therefore, on those grounds, much as it is to be regretted, that this has come about, there is no possible objection.

I realise that the purpose of the Bill is to do away with the Ordinance, to repeal the Ordinance, which is the connection between the Club and this House, but since the Attorney-General has mentioned the possible future purpose of the building and Government's intention in that respect, I believe the Government should give an assurance that before the property is disposed of Honourable Members of the House shall be informed as to how the Government proposes to deal with the building. The deal as it stands is one which benefits I imagine both parties in this since the present operators would lose money, but I am not quite certain whether the future purpose to which the building is to be put forms part of the present deal. I would therefore like clarification on that from the Government benches.

As regards the Fund which we have been told is to be set up for the benefit of Merchant seamen, this is not directly of course a matter for the House, but again since it has been released for information of members, I would comment that there is a lack of a fund of this kind in Gibraltar, notably as regards Criminal Liabilities Accident Fund. I remember one case some time ago in which I was involved as Minister for Labour. I refer to the sort of accident which can happen, in which the owners of ships are not directly involved, there are accidents or mishaps that happen as a result of criminal liability, and there is no fund here in Gibraltar comparable to the criminal liabilities fund in the United Kingdom, whereby people can be compensated. In these cases there is no claim upon the owners because the injury is as a result of a criminal act, and sailors often find themselves in a difficult position this way. So if Government could use its good offices to prevail upon the Trustees of this future fund to use it for this purpose then I think merchant seamen generally would benefit from it, and in a sense the good work of the Red Ensign Club would not be entirely lost.

Other than that I have no other comment to make on the Bill.

HON CHIEF MINISTER

I think the Attorney-General may well give details of the transaction to which the Honourable the Leader of the Opposition referred because he has the papers, but broadly speaking the position is that if we want to have - I think I am right in this - if we want to have the Waterport Gate at the place in the Port area which will not bother the tenants of the Varyl Begg Estate, which is further away, the Port Office will have to be vacated and will have to be accommodated in some property that the Government has in the Western Arm which is now at present in the possession of the Stevedoring Company, mainly I think for

accommodation of their foreign labour. It is in order to be able to vacate that property to use it as a Port Office that the question of providing alternative accommodation on a lease basis and on a reasonable basis, that this building will be handed over on a quid pro quo subject to financial adjustments which have been made by the Lands Office will be made to the Stevedoring Company.

1

1

1

1

HON M D XIBERRAS

That was the sort of information which I was seeking. .a. den a rolans ion interest ion interest a lease of a rolans a

MR SPEAKER

woldent Fanl. I remunder ine orie s If there are no other contributors I will call on the mover to reply.

HON ATTORNEY GENERAL

cold for the criminal live I do not think in fact I can give any more detailed information at this stage than that given by the Honourable and Learned Chief Minister to the Leader of the Opposition, but of course more detailed information can be supplied at a later date. Just one point, in his speech he mentioned the Criminal

Liability Accident Fund. This Fund would be basically to help and assist merchant seamen where perhaps they are injured not merely through criminal acts of somebody else for which the owners are not liable to them, but where they have a straightforward accident. Perhaps they have to be hospitalised in Gibraltar, then the Fund would clearly be used to provide them with assistance perhaps to pay for their hospital accommodation, necessities and one or two luxuries such as cigarettes, newspapers, but generally for merchant seamen in Gibraltar.

MR SPEAKER then put the question which was resolved in the affirmative. All old a line fort the set which which is the first the

The Bill was read a second time. ning of the second sing of the second s

HON ATTORNEY GENERAL

Mr Speaker, I beg to propose that the Committee Stage and third Reading of the Bill should be taken at a later stage in this meeting.

This was agreed to.

The Registration of Birth (Validation) Ordinance 1976.

The Honourable the Attorney General moved that a Bill for an Ordinance to remove doubts as to the validity of the registration of certain persons in Gibraltar and to make consequential provision therefor be read a first time.

MR SPEAKER put the question which was resolved in the affirmative.

The Bill was read a first time.

HON ATTORNEY-GENERAL

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

In 1969, when the Registrar of Births and Deaths was compiling a card index of all the births ever registered in Gibraltar, it came to notice that in approximately 163 cases there had been a birth registered but the Registrar had not completed his statutory duties and had not signed the entry. The vast majority of these cases were in 1677, I think there were 150 cases, when in fact the Registrar apparently - it has now turned up in historical record - was on his death bed virtually, nobody was appointed to act for him, the births were filled in but no registration was made. There have in fact only been three entries this century which have not been signed, the last being in 1940, so I think I can fairly say that there is no officer of Government at present who has been negligent in this matter.

Now, the thing was lost sight of originally in 1969, but

last year there was an application for a copy of a certificate of birth which had not been signed, and for that reason it was considered desirable that we should now legislate to remove any doubt that the birth has been registered irrespective of the lack of signature that that birth is validly registered. This is a common sense provision and I can really see no problem arising from the Bill.

(

1

£.

ſ.

As members will see Clause 2 makes the birth valid, or the registration valid, and Clause 3 of the Bill sets out the proforma to be included in a certificate which is issued for a birth which originally was not signed.

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

MR SPEAKER invited discussion on the general principles and merits of the Bill.

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

The Bill was read a second time.

HON ATTORNEY GENERAL

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

This was agreed to.

The Elections (Amendment) Ordinance 1976.

The Honourable the Attorney-General moved that a Bill for an Ordinance to amend the Elections Ordinance, Chapter 48, be read a first time.

MR SPEAKER then put the question which was resolved in the affirmative.

The Bill was read a first time,

HON ATTORNEY-GENERAL

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

The Elections Ordinance provides that it shall be the duty of the Registration Officer to prepare and publish a Register of Electors in the year 1973, and every fourth year thereafter. There is of course provision, and this is being done, for a supplementary to be prepared in intervening years as and when the necessity arises, but the main Register can only be prepared every fourth year. Under the Ordinance as it now stands there can be no new register prepared till 1977.

Now, unless there is a unilateral declaration of independence there will be an election in Gibraltar this year, and it is considered appropriate and desirable that there should be a new register prepared in this year. It is always more satisfactory to have an election based on a single register rather than a register with perhaps one or two supplements. For this reason we are amending Section 4 of the Bill to give the Registration Officer the duty of preparing a register this year.

Now, that I think is all I need to say except that in Committee I shall be moving an amendment to Clause 1 of the Bill to provide that the Ordinance should be deemed to have come into force on the 1st February this year. That is because the Registration Officer has had to carry out certain preliminary duties, sending out papers for returns of electors and these were in fact carried out before the Bill will in fact come into force, if it comes into force, in the normal state of events. So as I say, in Committee I shall be moving that particular amendment.

Mr Speaker, I commend the Bill to this House.

MR SPEAKER then invited discussion on the general principles and merits of the Bill.

HON M D XIBERRAS

Mr Speaker, I am sure that the Honourable and Learned Member will rest more easily in his bed if I assure him that as far as this side of the House is concerned, and to the best of my knowledge in Constitution Committee, of which we form a part, nor have I heard anything in the streets that a unilateral declaration of independence is eminent. Howewer, I do not see what the remarks have to do with the Election Ordinance because other things are of course possible even within the present situation which might upset his calculation. But I an sure, I feel almost certain that that is not likely to happen and that we are not going to have an election sprung on us. So I an sure that the very valuable work is being done on the registration of people for the coming general elections will be able to be completed

Having set the mind of the Honourable and Learned Member at rest I was very sorry that he was not able to advance to the House the date of the next general elections. That kind of information would of course have been nost welcome. But perhaps the Honourable and Learned Member is not privy to that information himself.

ſ.

Mr Speaker, this is an important Ordinance, as Honourable Members are aware. Even though it is an automatic procedure the very fact that we have an automatic procedure for registering is important. And even though we do not go as far as other countries, say Australia, where they impose a penalty for people not voting, this is the closest that we can get, I think, to a regular survey of those people who are entitled to vote. I understand that the response to registration is a good one and for what it is worth I would like to encourage people to register in the exercise of what is an important civic function.

HON CHIEF MINISTER

Sir, I have nothing to contribute to the Ordinance except that I would not like my silence to be interpreted as agreeing with everything that the Leader of the Opposition has said, and I cannot exclude, if the situation so warranted, a UDI.

MR SPEAKER

I will call on the mover to reply.

HON ATTORNEY-GENERAL

I would just like to correct one point made by the Leader of the Opposition. I do not thing there is a penalty for not voting in Australia, I think there is a penalty for not attending the polling station. You can go in, you can tear up your paper, and then you are alright. No more than that.

MR SPEAKER then put the question which was resolved in the affirmative.

The Bill was read a second time.

HON ATTORNEY GENERAL

Mr Speaker, I beg to propose that the Connittee Stage and third reading of this Bill be taken at a later stage in this meeting.

This was agreed to.

The Supplementary Appropriation (1975-76) Ordinance 1976.

The Honourable the Financial and Development Secretary moved that a Bill for an Ordinance to apply further sums of money for the service of the year ending on the 31st day of March 1976, be read a first time.

MR SPEAKER put the question which was resolved in the affirmative.

The Bill was read a first time.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Sir, I beg to nove that the Bill be now read a second time.

As the House is fully aware the object of this Bill is to give legal forn and expression to the approval which this House gave to Supplement ary Estimates of Expenditure, and its purpose is to authorise in terms of the Constitution the withdrawal of those moneys from the Consolidated Fund and their appropriation to the services as specified in the Schedule to the Bill.

MR SPEAKER then invited discussion on the general principles and nerits of the Bill.

HON M D XIBERRAS

A very brief connent, Mr Speaker. First of all perhaps the Honourable the Financial and Development Secretary would give an indication of Government estimates over this year in relation to this since we are voting provision, to see whether basically the figures of expenditure are as were envisaged by the Government at the beginning of the year.

I know it is something of a tall order but if we could get some indication this would be nost welcome.

Secondly I would like to thank the Financial and Development secretary for certain information which he has made available to me in respect of the Gardiner's Road services which was the subject of debate yesterday.

I look forward to hearing from the Chief Minister on the same point which I think is an important one but I realise that it requires some research. In this respect I urge Honourable Members of the House not to let this particular subject slip into oblivion, because I think it is an important one, and if there is future development ...

MR SPEAKER

The reference is on the Improvement and Development Fund?

HON M XIBERRAS

Yes, it is outside the scope of this?

MR SPEAKER

Well, not completely but it should be. But fair enough, it is general comment. You are definitely referring to the contribution to the Improvement and Development Fund.

HON M D XIBERRAS

£240,000.

MR SPEAKER

Yes, yes!

HON M D XIBERRAS

I urge Honourable Members not to allow this one to slip because I think both Governments, this one and the previous one, have an interest in this particular project, and there might be similar projects in the future, and it would be a very bad thing if any kind of speculation is allowed to go unchecked by this House.

MR SPEAKER

D

Well I will now put the question, unless the mover would like to reply.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Only to say, Mr Speaker, that I am afraid I cannot satisfy the Honourable the Leader of the Opposition's wish for information relating to the overall financial picture this year, but such information as we shall be making available to him he will have not later, as I said, than Monday.

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 would like to propose that Committee Stage and third reading of the Bill will be taken at a later stage at this meeting.

This was agreed to.

Committee Stage

HON ATTORNEY-GENERAL

Mr Speaker, I beg to move that this House should resolve itself into Committee to consider the following Bills, Clause by Clause:-

> the Red Ensign Club Committee (Repeal) Bill, 1976; the Registration of Births (Validation) Bill, 1976; the Elections (Amendment) Bill, 1976; and the Supplementary Appropriation (1975-76) Bill, 1976

The House in Committee

The Red Ensign Club Committee (Repeal) Bill, 1976.

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

1

ſ.

C

1

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

The Registration of Births (Validation) Bill, 1976.

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

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

The Elections (Amendment) Bill, 1976.

Clause 1

HON ATTORNEY GENERAL

Mr Chairman I beg to move that Clause 1 be amended by the addition, immediately after the figures "1976" appearing therein, of the words and figures "and shall be deemed to have come into force on the 1st February 1976".

MR SPEAKER proposed the question.

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

Clause 1, as amended, was agreed to and stood part of the Bill.

Clause 2 was agreed to and stood part of the Bill.

- 71 -

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

The Supplementary Appropriation (1975-1976) Bill, 1976.

Clause 1 was agreed to and stood part of the Bill.

Clause 2

D

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I beg to move that Clause 2 be amended (i) by the deletion of the word "eighty" appearing in the fifth line and its substitution by the word "seventy" and (ii) by the deletion of the sign and figures "£334,737" in the marginal note and the substitution therefor by the sign and figures "£374,737".

MR SPEAKER put the question which was resolved in the affirmative.

<u>Clause 2</u>, as amended, was agreed to and stood part of the Bill.

Clause 3

HON FINANCIAL AND DEVELOPMENT SECRETARY

Sir, may I move that Clause 3 be amended by the deletion of the word "eighty" appearing in the second line thereof and its substitution by the word "seventy".

MR SPEAKER put the question which was resolved in the affirmative.

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

Schedule

HON FINANCIAL AND DEVELOPMENT SECRETARY

Sir, I move that the amount of £15,500 shown in the Schedule

against Head IX Labour and Social Security, be amended to read £5,500 and that the total amount to be appropriated in respect of all the Heads shown therein be amended accordingly to £374,767.

MR SPEAKER put the question which was resolved in the affirmative.

The Schedule, as amended, was agreed to and stood part of the Bill.

1

1

4

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

The House Resumed

HON ATTORNEY-GENERAL

Mr Speaker, I have the Honour to report that the Red Ensign Club Committee (Repeal) Bill, 1976; the Registration of Births (Validation) Bill, 1976; the Elections (Amendment) Bill, 1976; and the Supplementary Appropriation (1975-76) Bill, 1976, have been considered in Committee and agreed to, in the case of the Elections (Amendment) Bill, 1976, and the Supplementary Appropriation (1975-76) Bill, 1976 with amendments and I move that they now be read a third time and do pass.

MR SPEAKER put the question which was resolved in the affirmative. The Bills were read a third time and passed.

Private Members Motion

HON M D XIBERRAS

Mr Speaker, I beg to move that this House is seriously concerned about the case of Paul Henwood; calls upon the Government to hold an independant inquiry of the circumstances surrounding this case; and in view of other known cases further calls on the Government to carry out an investigation of hospital procedures so that in the future any patient, who is faced with a diagnosis of serious illness involving loss of limb or of hearing or of eyesight or of other serious medical conditions will be entitled at public expense to seek separate leading specialist opinion either in Gibraltar and/or in the United Kingdom. This House further thanks Vox Newspaper for performing a public service in raising sufficient funds to enable Paul Henwood to receive specialist treatment in the United Kingdom and also thanks all those who contributed to the fund.

Mr Speaker, the case of Paul Henwood first came to my notice when it was brought to me by his mother, Mrs Henwood, some weeks before the whole story broke out in VOX Newspaper. I made an enquiry of a member of the Medical Department, completely unofficially, and then, having made arrangements for Mrs Henwood to come back and see me about the matter, I was surprised by the story appearing in Vox. Later I met Mrs Henwood and she informed me that she had been looking for me, had been unable to make contact with me, and that the matter had been taken to Vox in an attempt to save, as she thought, the sight of her son's left eye.

I should make it clear that the facts as attributted to Mrs Henwood and published in Vox newspaper are essentially the same as what she told me before the story broke out. And I should make clear that to the best of my knowledge what had been published in Vox newspaper is correct. In other words that I have tried to establish enwther what the newspaper was saying was factually correct or not.

Mr Speaker, I think I should go only into the fundamental points of this particular incident because the story had been amply covered by the newspaper in question. Before I do, I should like to make it clear that that part of the motion which calls for an enquiry into the case of Paul Henwood has been inserted in full knowledge that Honourable Members in this House do not have the medical competence or knowledge to judge on any particular case. It has been put into the motion in full knowledge that the Minister for the Department concerned, although he has a Constitutional responsibility and is answerable to this House for the activities of his Department, is himself not a doctor. And even if he were, he would not as Minister be called upon to make a diagnosis.

The motion has been moved in full knowledge also that the overwhelming majority of cases that go to St Bernard's Hospital have a satisfactory outcome, and that the work

-

which is done there is by and large, as far as one can judge as a layman, of a high calibre. The motion has been moved, furthermore, in full knowledge that a hospital and a medical system is a complicated often bureaucratic affair and that it is difficult to pin down responsibility for any particular case. But all these things having been said it is the duty of Honourable Members in this House to express any public concern that may be felt about individual cases, or even an individual case, if in our layman's judgement such a case Warrants raising in this House.

I think Honourable Members will be agreed that there is public concern about the Paul Henwood case. If the response to the Vox appeal is anything to go by then certainly there is an immense - or there was-- an immense fund of sympathy for this young boy. It is not that Paul Henwood's life was in danger, and this may allow us to discuss the motion with less emotion, it is that he would have been seriously impaired if he had lost the sight of his left eye. And such public concern over this boy's eyesight and about the published facts concerning his mother's dealings with the medical authorities, for which this House is responsible, are sufficient grounds for the matter to be brought here.

¢.

Basically, Mrs Henwood maintained to me, and has maintained to Vox, that she was told about two years ago by competent persons at the Hospital, that her son would lose the sight of his left eye by the time he was about 14 years old. This is maintained in VOX, and I quote from it: "about two years ago little Paul developed a squint in his left eye, and when his mother, Ana Henwood, took him to St Bernard's Hospital here, she says she was told that her son was losing the sight of that eye and that by the time he reached the ago of 14 years the eye would be completely blind. There was no hope for the eye, Mrs Henwood says she was told".

Now, this I think is quite clear, whatever the medical reason for such a statement. Obviously no parent could accept that statement lightly, and Mrs Henwood went around trying to raise money to get a second opinion. I should make it quite clear, or repeat, that this which I have read from VOX is essentially what Mrs Henwood told me, and what she has told other people as well. And I have heard nothing to gainsay that or to contradict that.

Mrs Henwood, as far as I am aware, was not told at the hospital that certain remedial treatment could be carried out; she in fact sought a second opinion in Spain, and in Spain she was told that she should seek further specialist's advice.

As is known Paul Henwood had a squint, and to my knowledge the question of the squint and the implications between the squint and the alledged statement that he would lose his sight at the age of 14, was not made clear to the m mother. Therefore, I think it is significant that the mother did not pursue the matter with the medical authorities here, but instead took the child to Spain. I think this is significant because if definite hope or treatment had been suggested here, I do not think that that woman would have been as worried as she certainly was when she came to see me, or as worried as she appears to have been in her contacts with VOX newspaper.

VOX launched an appeal, as is known, which eventually reached a very high figure of £3,304.18. Now this, even by generous Gibraltarian standard, is a very high amount, and I have no doubt that the case caught the public imagination.

Mother and child were sent off to the United Kingdom, the cost being paid by a fund which was formed, administered by Mr Joe Bossano, who in the first place had advised Mrs Henwood to go to VOX, and Dr Reggie Valarino. The child there, again as is known, saw Mr Peter Fells, the eye specialist, and Mr Allan Bird. I have good reason to believe that the original diagnosis as communicated to Mrs Henwood was refuted by these two specialists, and although the medical diagnosis terms are complicated enough for the layman to understand, basically what Mrs Henwood was told in the United Kingdom was that there was no evidence to suppose that the child would lose the sight of his left eye by the time he was 14. That basic assurance from authority runs completely contrary to what Mrs Henwood was told at St Bernard's Hospital two years before.

Mr Speaker, I am sure that whatever the rights and wrongs of this matter, the House would wish to congratulate VOX newspaper for bringing this subject to public notice and for working very hard to raise the money, and more than enough, necessary for the medical expenses of this case.

The child, it was recommended in the United Kingdom, was to

have an operation to remove his squint, because it was established that the squint was in fact making his eyesight worse, and it was his squint, apart from the psychological effect of it, which was reducing even more his field of vision which would have done the real damage. The squint was corrected and the operation by all accounts was a success, certainly by the pictures published in VOX it looks very well, and I understand that the child is feeling comfortable and happy, and so is the mother.

I am sure that Mrs Henwood is a different woman today to what she was when she walked into St Bernard's Hospital two years ago, and that in itself is an important fact. ſ.

This House has heard me before ask the Minister to revise the conditions under which people would be entitled to a second opinion either here or in the United Kingdom. The House will recall the case of Mrs Vicenta Henrich, and the House will recall the case of Mrs Lourdes Tosso, in both of which the procedure under which patients are sponsored was the subject of criticism by myself and other Honourable Members. The motion therefore refers to other known cases.

In the case of Mrs Henrich there is absolutely no doubt at all that the extirpation of the eye was recommended on the grounds that there was a cancer. Mrs Henrich, on her family's initiative, was taken to the United Kingdom and it was discovered that she had in fact a loose retina, I believe, and Mrs Henrich did not lose her eye. In fact after an operation she is, I understand, well.

It is not so much with the diagnosis that I am concerned, certainly I could do no better nor would any member of this House, but we must do, in the words of the Minister himself in answer to that question I put about Mrs Henrich, as much as it is humanly possible. And I would suggest that what can be done is to carry out a revision of the procedure whereby second specialist opinions are sponsored by the Government.

The case of Lourdes Tosso was rather a different one, but Honourable Members will recall that there too the procedure, the view of Honourable Members on this side of the House, was not considered to be the most expeditious or fairest possible.

Mr Speaker, the motion speaks of leading specialist opinion. If the thing is to be done, it should of course be done well. By a second opinion I do not mean reference to another doctor, I mean reference to leading specialist opinion. The motion does not ask that this should be in absolutely all cases, but in cases where there is a serious medical condition or the possibility of one. Serious illness, loss of limb or of hearing or of eyesight. And in these cases such an opinion, where there is any doubt whatsoever, people should be entitled to a second opinion. And the procedure for seeing whether the person should be entitled or not should also be revised, because it is clumsy to my mind, as far as I can tell from the cases that have been discussed in this House.

Mr Speaker, I started off by saying that we in this House were not competent to judge doctors but it was our duty to raise these matters in the House.if there was genuine concern. But if there is genuine concern, and that concern stops with its expression in this House, then if there are any shortcomings, if there have been any mistakes which might have been avoided, these will not really be established nor serve a corrective for the future, unless people who are competent to judge, and independent of the case or cases in question, do attempt to establish what happened and why it happened. Therefore whereas I do not ask that Honourable Members should judge this case, I do ask that Honourable Members should agree that there should be an independent inquiry into this matter.

We often come up against this bogey of who is to judge. The word "witchhunt" has often, or quite often, been raised in this House in respect of one matter or another. It is for Honourable Members to determine whether this particular case, and especially two others which I have mentioned, do require independant judgement, independant investigation. I would suggest that this particular case of Paul Henwood, as indeed that of Mrs Henrich, but more especially this one, coming as it does after Mrs Henrich's, is sufficiently in doubt, and sufficiently serious, for Honourable Members to agree to this inquiry taking place. As is often said on these occasions, if things have been done properly, then only good can come from such an inquiry.

Honourable Members will notice that in the case of Mrs Henrich a question was acked in this House. It was only a question. On this matter there is a motion, for obvious reasons. The story was already widely known and a question would hardly have surprised. There was a public reaction to this, and this public reaction should be met by Honourable Members opposite in such a way that fears would

be allayed and the whole matter laid to rest, if that is the case, or if not what happened and why it happened really established.

Now, I think I will end up, because I am sure Honourable Members opposite will wish to contribute at length to this, I'll end up by saying that the sensationalism with which some newspapers deal with cases of this kind in the United Kingdom has been absent from the approach of VOX newspaper in this. I know for a fact that the staff of VOX has worked as hard outside, if I may say so as in the street collecting money, as it has worked in producing the actual print. It has been a labour of love, and it has been a question of dedication. It has not been scandal mongering and of that I am absolutely certain. And a member of this House and a reputable doctor have associated themselves with this cause.

1

1

1

(

1

I ask Honourable Members to deal with this motion therefore in the same way as I have dealt with it, in the same spirit, and I commend the motion to the House.

MR SPEAKER then proposed the question.

HON A P MONTEGRIFFO

Mr Speaker, I would agree with the last words expressed by the Honourable the Leader of the Opposition as to the sentiments that motivated VOX in undertaking this venture. But as to the question that there was no sensationalism, that I think is a matter of opinion and anyone reading the headlines can come to their own conclusions.

Sir, as you know, I had intended to make a statement before, but as there was this motion that might have meant anticipation and, therefore, I thought I would rather leave my arguments when the motion came before the House. But since in the first instance, Sir, I am dealing with facts, figures, dates of appointments, and consultants, that this lady saw in Gibraltar, I think, Sir, I would crave your indulgence in allowing me to read from copious notes.

Sir, I would like to start by saying that in the first instance the mother of the child never brought the child to the hospital to be seen by the Opthalmologist. It was on the 29th December 1972 when Mrs Ann Henwood came to the Eye Department to have her eyes tested herself that she was accompanied by Paul, who was then $3\frac{3}{4}$ years old. The Opthalmologist noticed that the child was squinting and asked the mother since when had the child been squinting. The mother replied that he had been squinting since birth. Mrs Henwood was persuaded to have her child examined and she was given Atropine ointment to be used for some days before the examination took place, as is usual with such cases. On the 24th of January 1973 the child came up to the Eye Department and under examination it was found that his right eye was normal; the left eye showed congenital abnormality, known as a persistant hialoid artery, as a result of which the left eye had partial vision and in turn was causing the squint. The mother was told that there was no treatment for this condition, that the squint could be corrected mainly for cosmetic reasons, and that could be done at a later date. The mother was then told that the child should be brought up for re-examination in six months time, that is some time An appointment which was never kept. in July 1973.

In between, in March 1973, the mother came to see me and requested a second opinion, and with the agreement of Dr Suarez, he was sent to the Naval Hospital to the Specialist Ophthalmologist. And it is rather significant that no one seems to have publicised that the mother had a second opinion in Gibraltar. The Ophthalmologist Specialist of the Naval Hospital gave this diagnosis in March 1973. "The diagnosis is congenital persistant hialoid remnants, and no treatment is indicated. He should however be seen approximately annually and later may need a corrective operation for squint. I have tried to explain this to the mother".

Nothing more was heard about the child since he was last seen in the hospital on the 24th of January 1973, apart from the time she came to see me and I cannot remember whether it was at home or at the hospital but some time in October 1975.

HON M D XIBERRAS

Mr Speaker, is he saying that Mrs Henwood went to see him?

HON A P MONTEGRIFFO

Yes, it must have been around February or March 1973 when the second opinion was given.

MR SPEAKER

Before the second diagnosis was given?

HON A P MONTEGRIFFO

Yes, she came and I had much sympathy for her. I said I would try to arrange a second opinion for her immediately and and transmith in the the doctor agreed.

1

1

1

6

(

HON M D XIBERRAS

Was this at the Honourable Member's house or in the hospital.

HON A P MONTEGRIFFO

I cannot remember whether it was in my house, in the street, because she stopped me many times. Line Also brighter and a structure in the second of the second of the second for a children and the second for a second fo

MR SPEAKER

So that there will be no misunderstanding later on, what gave way to the second opinion was the visit of Mrs Henwood to you. As a result of her visit to you, you arranged for the second opinion. That is what I am trying to clear so that we will know where we are.

HON A P MONTEGRIFFO

Sir, some time in October 1975, the mother rang up the hospital and she told one of the stenographers who answered the call that the child was going blind and that something should be done about it. Arrangements were therefore made for her to be seen by the Director of Medical and Health Services in the presence of Dr Suarez, and an appointment was then made for the child to see our Consultant Ophthalmologist the following morning. Again this appointment was never kept and we heard no more from either the child or the mother until the recent publicity in the press.

From what I have said it will be noted that the child was

seen by two consultants, both of whom categorically agreed with the diagnosis and treatment. However, because of the mother's refusal to keep appointments there was no follow up of this case and the squint operation was not performed, though I must make it quite clear that the squint operation would merely have been done basically for cosmetic reasons and that the left eye would, unfortunately, remain damaged for the rest of the child's life.

I must also stress that neither of the two consultants, as has been seen from the medical notes which I have had access to, told the mother that the left eye of the child would go totally blind at the age of 14. Indeed, even if that were to have been the case, there was hardly an opportunity to tell the mother as she only came once to see the Opthalmologist back in January 1973, and since then she never kept any of the follow up appointments. And from the letter of the other consultants from which I have quoted, there is absolutely no reference that the child was going to go blind at 14, except that she tried to explain to the mother that the boy had persistant hialoid remnant, and no treatment was indicated, and that he had to be operated for squint. He had tried to explain And this consultant, in case anybody this to the mother. might have the evil mind to think that notes have been concocted, this consultant left Gibraltar at least a year or 13 months ago. These particular notes are there in the file, and the man who produced them is not in Gibraltar.

Now, Sir, it is only now - and I say this with great regret because of the privilege that we enjoy, that I have been able only now to make all this public, because without the privilege we enjoy in this House I would not have been able to publicise this in a newspaper, because they are mainly medical notes and I would have the doctors jumping on top of me.

The Honourable Member may laugh, but the hospital is deprived from supplying medical notes to anybody except in a court of law, or as now reluctantly as I am doing in this House.

HON M D XIBERRAS

Mr Speaker

MR SPEAKER

No, we are not going to have interruptions, because otherwise the debate will go on. You will have the right to reply to the motion and then you can have your say.

(

(

C

HON A P MONTEGRIFFO

Now, Sir, those are the facts as I have been able to obtain from the notes available in both hospitals, and as I say, the most significant one is that she was seen by two consultants, and it is a pity that this was not known throughout all this publicity. I regret further Sir, that this motion should have come before the House. Not because members are not entitled to express concern on any matter for which I or the rest of the Government is responsible, or constitutionaly responsible as the Honourable Leader of the Opposition so ably put it. But medicine and illness is a very emotive field and after all the publicity that has been given to this case, however low key it may have been played, in that context, Sir, the issues can be obscured. People's judgement make them rather passionate understandably, and perhaps even irrational and I quite understand that sort of situation developing. I am surprised that the Honourable Member, and I appreciate his kind words, which of course are not directed to me because whatever good medical services are given by the profession in the hospital is not due to any Minister, they do this irrespective of whoever happens to be the Minister, but I am glad to say that the bulk of the people get - to quote his words - a satisfactory outcome. Well Sir, with due respect to him, following the wording of that motion, I can tell you that the whole thing of the medical services in Gibraltar is being very seriously undermined. And I say this with great authority and knowledge of what I am talking about. I am sure that that was not the Honourable Member's intention but that is what is happening.

We now come to the enquiry. And the answer to the enquiry, as far as the Government is concerned, is no. I am not here defending anyone. When I have quoted from notes, I have just acted as a mouthpiece transmitting the information they contain. I am not standing here to defend any diagnosis given by a doctor, however eminent he might happen to be. They are perfectly capable to do that for themselves. But I am certain, I am convinced, from the knowledge I have of the consultants in the hospital and from my knowledge of ~ 83 -

this case, there has been no neglect or infamous practice. And hence the Government will not agree to an enquiry.

And the Honourable Member mentioned the word "witchhunt": the witchhunt is on, I can tell you that the witchhunt is on, and that doctors, and in particular the consultants are finding it very difficult to fulfil their duties and responsibilities towards the public. And that is my main worry, apart from whatever sympathy I may have for Mrs Henwood as a mother.

D

D

If the Honourable Member feels otherwise he can have recourse to Section 24 of the Medical and Health Ordinance and start an enquiry. And I suggest that should have been the way he should have gone about it, rather than to add to the emotiveness of the whole situation.

Now, Sir, let us come to the question of the second opinion. Again, Sir, I am sure he did not mean it; I know him personally and I sure he did not mean that, but any independent person reading this can only accept the sas a slur on the consultants we have in Gibraltar. To think that we can ever get consultants for anywhere in the world. who can diagnose a serious illness, because if they cannot who is going to diagnose the serious illness, the patient, is it going to be left to the patient when to say: 'I am seriously ill or not? It must be left to the consultants. And if we ask the consultants to make a diagnosis for a serious illness we must equally trust him to be able to treat the patient and to be honest enough, when he cannot treat the patient, to use the facilities the Government has available to seek a second opinion, either in Gibraltar or in the United Kingdom.

And here let me digress for a moment to say that it was never a question of finance. It does not cost Government anything today to send somebody to the UK for treatment.

So, Sir, the question of a second opinion is deteriorating to such an extent that we now have a little boy being told that he has digestive stomach trouble: he wants a second opinion. Another person is told he has progressive myopia; and he wants a second opinion. This situation is deteriorating, so that the doctors in the hospital - and I will carry on stressing this - do not know whether they are coming or going. I hope that they may not decide to go! The Honourable Member was talking of the bulk of the bulk of the population. I am not saying that he meant this, I know Mr Xiberras well enough to appreciate that he did not mean this, but what it would mean to the ordinary public in the street? As I hope the Honourable Member, knowing me well enough, will also appreciate that I am incapable of having ever told a mother: look here, your child is going blind, there are other children going blind; as I know is being said all around Gibraltar. look at myself in the mirror every morning and my I conscience is clear, and those who know me well know that however hard a heart I may have - which I have not - I am incapable of saying that to a mother. Even if I had known but I did not know, because it was not true, that anybody had told her that her child was going blind. This is monstruous! Really monstruous, and this is what all this has given rise to. But I do not care because my conscious is clear in that respect.

I am sure he did not mean to cause the harm that he has caused, because it gives the impression to anybody reading this in Gibraltar that most Gibraltarians are going about with amputed legs and arms which have been amputed through a mistake of the Consultants in hospital. HON M D XIBERRAS

and if we rear the construction of the state of the service of the

Nonsense.

MR SPEAKER

Order!

HON A P MONTEGRIFFO

This may be nonsense, but this is what the motion says! Can a consultant ever accept that he should be employed in Gibraltar and when he has got a serious case or he has to amputate a leg or an arm or bring out an eye and he is convinced that he can do it himself that he should be bound to get a second opinion from the leading specialist. Who is the leading specialist? I recommend to the Honourable Member to read a book written by another leading specialist whom we all knew and loved well, Dr Scott-Stevenson "Famous Illnesses in History". And he tried to prove that the

6

(

1

1

- (

(

more eminent the patient, and the more that he is surrounded by eminent men the more likely that the doctors will mess it up. All we are doing now is encouraging, as we have encouraged already, people asking This will not be agreed to by the for second opinions. And if you talk of leading specialists, consultants. who are the leading specialists? Who are the leading politicians? Who are the eight best that should form the Government in this House? There are different opinions in that particular field, in the politicians, as there are in the medical field. And in any case, as no consultants employed in Gibraltar would agree to send a patient for a second opinion simply because he has been told to do that, there would be no one to refer a patient to any consultant. So we shall have to go on the private And may be he, or the Deputy Governor, would channel. have to sign the form and say that the patient should go to Dr X, possibly selected by the patient. And you know that private beds in Government hospitals today, expensive as they are, are becoming fewer and fewer every day because of the policy of Barbara Castle.

So what we will have to do is to send the patient to the American run clinics which cost a pretty penny. It is not a question of money, it is a question that when they get a customer who could be operated in Gibraltar, of course they will want to grab him there and say: "No, do not go back to Gibraltar, we will operate on you here" I understand that in some hospitals an operation for a squint costs £100. I do not know how much this one may This is a fact. You will not have the have cost. Consultants here refer patients to the UK because they will not do it. And you cannot do it through the National Health Service because the National Health Service specifically states that unless the Consultant referring the patient to one of the sophisticated units in London is satisfied that he cannot cure the patient, or that he has not got the diagnostic facilities here, he cannot send that patient to that sophisticated unit. It is under-standable, otherwise everybody would like to go to those sophisticated units, and of course those who really need the services of these sophisticated units would be at the end of the queue! So it just cannot be done.

We have got give resident consultants, and we have got five visiting consultants. Now, the 5 resident Consultants have been with us for years, even when the Honourable Lady was in the hospital. Did she find difficulties with this; did she find that anything was wrong? Of course there is always the case with which one sympathises, but there must be a limit drawn somewhere, otherwise the thing collapses. 1

-

And what are we going to do with the five visiting consultants, are you going to bring them to Gibraltar on the condition that when they discover that a patient is seriously ill they must get another opinion from the UK? You will not be having them coming over either.

But the greatest danger of all this pressure we are now getting for second opinion, is that the Reciprocal Agreement, which is giving such good service to Gibraltar, may be totally and completely wrecked. Because doctors finding themselves involved in this emotional situation that developed will be tempted, when they have a seriously ill patient on their hands who they know is going to die, to send him to the UK. But there will come the rocket from the Ministry of Health saying: look here chaps, we admit one of your patients within five weeks; it takes up to forty seven weeks in Britian sometimes, and you are sending us patients that we know full well you could have looked after in Gibraltar. Two such cases have already been sent back.

This is the result of all this, which worthy and laudable as the motives of all concerned may be, they do not appreciate the problem of those who have got to live with it. It is not that the system does not work, it is that the system is not allowed to work. You cannot imagine, Mr Leader of the Opposition, you just cannot imagine what has been happening at this point in time for the last three or four months: pressures from the Unions, pressures from politicians, pressures from the family; the doctors are not allowed to carry out proper diagnosis in a relaxed atmosphere. The emotional situation is such that they are becoming terribly, terribly frustrated. I do not want to say that doctors are infallible, they are not, either here, in England, in China, in Russia or in Germany. They are not infallible. Medicine is not an exact science, and I can only recall two particular cases - and this is not an aspersion, who am I to stand up and accuse or try to undermine the fantastic health service they render in Britain - but I will mention two cases in the reserse. I know someone who went to the UK and was diagnosed to be suffering from gallstones: yet within three weeks he was admitted to hospital with a perforated ulcer. These things happen in medicine. It is unfortunate but it does.

We all know a prominent person who took his own wife to the UK with a suspected secondary cancer of the lung and they just could not spot it in the UK. In the end it was spotted in Gibraltar. This does not mean that I do not appreciate that because there are more people there is better of everything in Britain, even better politicians, because the numbers are greater.

Sir, what I am saying, and I will stress, is that because of this emotional outburst that has been going on we are only encouraging more and more people to have less and less faith in our consultants. And let me tell you this, that if we are going to tell the five visiting consultants that they must ask for a second opinion when they have got a serious case in their hands, we are placing them in the same position as the UK EYES ONLY in reverse. Because if we allow them, because they come from the UK, not to seek a second opinion, we are discriminating against those who are in Gibraltar, who would have to ask for a second opinion because I presume they are not leading consultants! So here it is the UK EYES ONLY motion in reverse.

Sir, I would like to say, and say quite sincerely, that I have got all the sympathy in the world for this mother, and I can quite understand the action that she has taken. This I can quite understand. She has got a child that unfortunately will have a defective eye all his life and it is very significant that the diagnosis given in Britain has not been produced, despite the fact that the doctor who referred this little boy to Britain was asked for the diagnosis, said he was going to send it to the Consultant, and instead phoned later to say that he had given it to the press. But still it has not been published. I would like to know what that diagnosis said, and I would like to And I would like to see whether that see it published. diagnosis is the opposite to the one that was given in 1973.

I can quite understand the position of the mother, and I can understand it better than most members in this House because my elder child went completely and totally blind. And no father can appreciate that unless he really goes through it: totally blind. I took him to the hospital of course. At that time perhaps there was no VOX to collect the money for me, because as a father I would like him to be operated on by the best person in the world available. I thought at the time that if I had the money

I would take my child to be seen by Barraquer, the famous European Ophthalmologist, but what I could not pretend is that having been told by the Government Health Service that the operation could be done here, to demand that my child should be sent to Barraquer's clinic. That I could not pretend, neither would I have dreamt of asking for that. It is the same as if a child in a Government school fails his GCEs and then the mother comes to the Government and says: look such and such a college guarantees that if my child goes there he can get the GCE; therefore you pay for my child to go there. It cannot be done.

So, whilst sympathising with the mother for the predicament she is in, I hope, Sir, I hope to God that as a result of all this publicity the child will not be eventually psychologically affected when he comes to find out that the vision of that eye will remain defective all his life. I hope that that is appreciated and I hope to God it does not happen.

Sir, when in Opposition I never used to raise this sort of matter in the House, never, and this can be vouched for by Members opposite. I used to go quietly to the Minister who in fact gave me permission to go straight to the administration, and if I was satisfied that there was no neglect at all in the case then let sleeping dogs lie. Because I know that in an attempt to do good you can create more problems than you solve.

I appreciate the sincerity of the Honourable Members motive, but in my judgement I think that without intention at all he has done more harm with this motion, which the Government completely, totally and categorically rejects.

1

MR SPEAKER

Are there any other contributors?

HON J BOSSANO

Mr Speaker, my knowledge of this case is limited and my contribution and my involvement has also been very limited. Mrs Henwood came to see me and told me that she had been told in the hospital that her child was going to go blind by the time he was 14 and nothing could be done to prevent it, and that both the Chief Minister and the Minister for Medical and Health Services were aware of the situation: Because my first reaction was to offer to get in touch with the Government. Now, since she told me that the Government was already aware I suggested to her that the best way that she could obtain help was by making the case public by approaching the Editor of VOX and seeking the support of his newspaper. And I am very glad to associate myself completely with that part of the motion that says that the House thanks VOX newspaper for performing a public service, a view that is obviously not shared by the Government.

HON A P MONTEGRIFFO

It is quite understandable that the mother should have taken such action and that the paper should have done what it did. No one is trying to minimise the sincerity of the efforts to try to give a second or rather a third or fourth opinion to the mother. I am not disputing that, neither am I criticising that action.

HON J BOSSANO

Well, Mr Speaker, if I understand the Honourable Member right, what he is saying is that he is full of admiration for the motives but that nevertheless the campaign which he claims has undermined the medical service, is not a public service. I take it then that there has been no adverse effect on the medical services as a result of the publicity given in the newspaper, but there has been an adverse effect since notice of this motion was given. So the adverse effect has materialised in the last seven days.

Now, I am very glad that the motion has been brought to the House because if what the Minister says is true then I am very glad to know it. And apparently, I and the rest of Gibraltar would have had no opportunity of hearing what the Minister has had to say unless a motion has been brought to the House. He has told us himself that the information that he has produced today he could not have produced other than in the privileged circumstances of the House because the doctors apparently object. The doctors are quite content to have a newspaper saying that a mother has been told that the child will go blind, and no statement will be issued denying that this is the case. I cannot for a moment accept that one has to make public in full the contents of any file in order to refute an allegation of the type that appeared in the newspaper. If that allegation was untrue then even before the campaign was launched the Government should have issued a statement saying that the mother had never been told that the child would go blind and that there was absolutely no truth in this matter. And that as far as the hospital authorities were concerned there was no evidence that the child would inevitably go blind by the age of 14. That statement to my mind would have been no breach of anybody's confidence and it would not have required any privileged circumstances to make it.

- 90 -

Now, if the Minister chooses, or the medical profession chooses, not to make any statement until a motion is brought to the House, then obviously the more motions that are brought to the House the better, because it is the only way we are going to find out the truth of how the medical I appreciate that doctors may not I appreciate that. It may be services are being run. like to be scrutinised. very uncomfortable and they may not be able to make up their minds whether they are coming or going and they may decide to go, but we can all go, Mr Speaker. In a community, doctors are very necessary, but so are refuse Because if the doctors are not prepared to collectors. carry their own refuse to the Refuse Destructor and burn it, somebody will have to do that for them. A doctor is an essential member of the community and medicine is an emotive subject, but every member of the community can pack his bags and go if they criticise him because he makes And to say that a doctor can make a mistake is mistakes. not in fact to question his professional qualifications but is merely to accept that he is a human being. And if doctors do not like being criticised às human beings, then I am very sorry for doctors, but if there is anybody that is likely to develop a psychological complex it seems to me to be the medical profession and not little Paul Henwood.

1

1

1

I appreciate that the Honourable Member may be in the uncomfortable position of having the medical profession pushing him from one side and the public from the other that may be true - and it is a great strain, I appreciate that as well, but nevertheless I think that doctors themselves ought to grow up a little bit, Mr Speaker, and realise that if the House is concerned it is concerned for two reasons: because it wants to ensure that we give to the people of Gibraltar the best that we can afford in medical services; as in any other area; and it also wants to ensure that the people of Gibraltar have full confidence

in the medical services that they have got. And we do not give people confidence in any area of Government by sweeping things under the carpet but by having things out in the open and showing people that there is no need to have distrust and lack of confidence. That is the only way you get people to have confidence in the medical service. Not by hiding things but by being open about them; by meeting the challenge with the truth, not by / trying to run away. Because whatever the Minister may be saying here today he can be sure that most people's reactions will be that this is trying to put the lid on the thing and not look into it. And I can assure the Minister that as far as I am concerned I shall make it my business to come to the House with a motion on every case that I hear that seems to reflect on something not working properly in the medical services, until there is a sufficient cumulative total of motions to convince the Minister that he has to do something about it. Because the Minister knows that there are other cases. He knows them because there have been approaches made to him directly and I know it. And I have not brought it because I did not think it would do any good to bring more to the House than was barely necessary to show the concern of the House.

Now I think that if in fact the circumstances of the case are as the Minister has said as far back as 1973, it is shocking that that was not make public, that an indication was not given publicly that the view of the local experts was not the view that was attributed to them. And perhaps then the public reaction might have been different. But it is quite obvious that an overwhelming number of Gibraltarians supported the appeal in VOX precisely because they thought they were saving a child from blindness. And they had every reason to think so, because there was one version of the circumstances put out and that version was allowed to go unchallenged. And it would not be the first time that the Government has come out with a press release trying to put their side of the story on an issue. It has happened again and again and again, Mr Speaker, and on this issue, which is very important, it is very important for the reasons that the Minister has given, because we do not want to have people in Gibraltar thinking that our doctors in the hospital are useless and that they go there and if they are told that they have got an appendix they would want a second opinion, I mean that would be absolutely chaotic, I agree with him entirely, we do not want that to But, I mean, to come and say that now is a bit happen.

late in the day. The opportunity was there at the beginning and it should have been brought out into the open by the Minister himself. He should have shown the concern necessary to ensure that the good name of the medical services was protected with the facts that he has going back to 1973.

Now the Minister has said that the motion gives publicity which is bad for the medical services. Well, I think, Mr Speaker, that since he has also said that the information would not have been brought out, it seems to me that if there had been no motion there would have been no defence, and if there had been no defence people would have still believed - and one does not know whether they will still believe it or not after today - they will still believe that the child would have gone blind because nobody anywhere would have said anything to the contrary.

So at least the Honourable Member and the Honourable Doctors ought to be grateful to the Leader of the Opposition to put forward their side of the story. And I can tell the Honourable Member that he may not have raised matters of this nature in the House in the past. I do not know whether he did or not when he was on this side of the House. But I certainly remember the Gibraltar Evening Post campaign about the inadequacy of the medical services, which no doubt did a great deal to lay down the seeds of lack of confidence in those medical services.

HON A P MONTEGRIFFO

Mr Speaker - as that imputes a personal allegation to me, I can give my solemn word of honour - and I stand or fall on that statement - that if that was done in the post it was certainly not of my making at all. I never ever, Mr Speaker, used the Post to hit at the medical services of Gibraltar. Never, ever, and this is my solemn word of honour.

HON J BOSSANO

e je

Well, Mr Speaker, I accept of course the Honourable Member's solemn word of honour. All that I know is that according to the return for the nominations for the last elections there were a number of journalists on the Government benches, and the number of journals in which these journalists contribute is obviously limited in Gibraltar, and obviously some of the things that appear in the Post - I do not know whether it is the Honourable Member who writes to his Aunt Mary or another Honourable Member who writes to his Aunt Mary, but it certainly appears to be more informative about Government views and policies from the Post than from the Government benches, it is a regrettable thing.

MR SPEAKER

Which of course is not very relevant!

HON J BOSSANO

It is not very relevant other than, Mr Speaker, when one considers that damage that may be done to the medical services through views expressed in the newspapers which are associated in the public mind with one particular political view in Gibraltar or another.

I myself, Mr Speaker, am in full support of the motion because the feelings expressed in the motion are feelings that I share. I am concerned about the circumstances surrounding the case of Paul Henwood and I am certainly concerned that the Government did nothing, if they had information available to them at the time, to bring that information out into the open at an earlier stage in the I am certainly concerned that people should proceedings. lose trust in the medical services because I think it makes it very difficult for them to work, and I am also concerned that if things go wrong in the medical services or any other area of the public service these things should not be debated openly and publicly. And if any-body makes a mistake and it is a genuine mistake it should be shown that it is a genuine mistake. And if there is a negligence the people who are responsible for that negligence should be called to account.

I cannot accept that the accountability of public servants who are paid out of public funds should stop at a certain level in the hierarchy and that people above that level should be able to sort things out on the old boy network. That is only unacceptable to me, Mr Speaker, and that is only the impression to be created in Gibraltar whether there is substance in it or not.

I certainly think that one of the disabilities that our doctors are bound to have in Gibraltar, and I do not think this is exclusive to doctors, I think it is probably also true in other areas, and I speak here as somebody who has been in the United Kingdom and studied in the United Kingdom, because I think that for example I would suffer from the same disability if I were attempting to practise my own profession in Gibraltar, is that because of the smallness of Gibraltar, in any particular field, in any particular professional field, one is limited to a very small range of what one is supposed to do and what one has studied. And obviously if one qualified a great many years ago and one is working in the hospital and one spends almost the entire time testing people's eyesight to give them glasses, then obviously one tends to go stale. Not because the doctor is a bad doctor or that he is badly qualified but because he does not have the opportunity to see the range of symptoms which he gets in a big hospital in the United Kingdom. And that happens not only to doctors, it happens to engineers, it happens to economists, it happens to any professional man who is working within a very small community with very restricted areas of operation as

1

6

compared to his training. Obviously if a doctor sees a particular type of illness once every ten years in Gibraltar he is more likely to forget what the symptoms were ten years before than if he sees that sort of illness every week, that is obvious. That is not to say that the doctors are no good, it is to recognise the reality of the disabilities of working in Gibraltar which apply to everybody in Gibraltar. But if the doctors are so sensitive that one cannot mention anything without fear of losing them, Mr Speaker, then I am sorry for Gibraltar and I am sorry for the doctors.

I think we have been very unfortunate in the doctors that we have got. Very unfortunate. We must be recruiting very poor doctors if they are so sensitive that any criticism puts their backles up. Nobody likes to be criticised but everybody must be willing to accept it. Ι support fully this motion and I want to make it quite clear that my support for it is in no way intended to be a slur on the ability of our doctors, but I also want to make it quite clear that I want people in Gibraltar to have full confidence in our medical services and I am sure that that full confidence can only be seen by the doctors being quite willing to face criticism, not as a personal vindictive attack or a witchhunt on them, but to face criticism like

everybody else has to face criticism, because it is a part of modern life. People are no longer sacrosanct in our society. Everybody everywhere in every sphere is accountable for what they do.

HON CHIEF MINISTER

Mr Speaker, the Honourable Mr Bossano has mentioned my name in this connection. I will say that Mrs Henwood, whom I knew from another kind of problem she had had before, saw me once and telephoned me once or twice about this case. I made the normal enquiries and I was informed that this matter was being looked into, and I advised her to go to the hospital. I have not got any notes, and it would be most difficult to have notes of "surgeries of politicians". Surgeons may have notes, politicians have not, some of their meetings are, as we all know, around the street corner or somewhere else.

I would like to say, in expressing my sympathy for her position, that I was placed in the same situation myself in respect of one of my elder daughters who developed a Until she was 12 squint as a result of whooping cough. she was not operated, and eventually she was operated locally and very successfully. So the concern and the trauma of one's children one suffers. In some cases they happen to be the same experience, we are all human beings and we all have the same feelings and the same desires to do our best for our children. But what I think the latest speaker has completely misconstrued is this question of the mention made by the Minister about not having been able to disclose facts of this case. This of course goes much deeper than the circumstances of this case. This is the sacrosant, if I may say so, confidence that there must for all purposes, that the relationship between a patient and a doctor, or for that matter, a client and a lawyer, a person and his confessor, this is all very well protected by the law, that these things must remain secret if they are to have any value at all. And even if that were not to be the case, and even if a negative statement would have been made, I would have imagined - and I do not know what the reaction will still be - I would have imagined that a statement by the Government that Mrs Henwood was not told by any doctor that the boy was going to go blind at 14, would have been strenuously disputed. No doubt it will be, and that will be the bone of contention. Iſ that is done because once people say something, whether it is correct or not, it is very difficult for them, particularly if they are committed themselves publicly, it

is very difficult for them to withdraw from a statement made.

This is what a famous Spanish playwrite, Jacinto Benavente said in the "Invented Truth". It is said so often that the person who is saying it is deeply convinced that that is true. And even if that had been the case, to have been able to make a statement in the middle of the emotional outburst created by the campaign with which I have no quarrel, to have said that the mother was never told that the child was going to go blind at 14, would, I think have added coals to the fires of emotion at that time and would have made the situation much worse.

1

1

1

It is regrettable, in a way it is, that it has had to come to the point where the Minister has had to have recourse to clinical notes, which are really only the province of the doctor and the patient and cannot be disclosed except in conditions of privilege. As he has said it can only be disclosed with the patient's consent, otherwise it becomes a breach of the relationship which exists between the patient and the doctors.

Let me say that insofar anything defamatory which is said as far as doctors are concerned, it is their business to defend themselves. I am not directly concerned here with any specific allegations that may have been made in this case. If these are defamatory it is for the courts to decide, and it is for the persons agrieved to take particular action. I am not concerned in this House at all about an individual case, because that is a matter of the right to publish, the right to one's integrity and the right not to be libelled. That is a matter for the doctor concerned and that is a matter on which if he wants to he can take legal advice - he may or may not be taking it - but that is a matter for him: I am not concerned. Why the matter has ranged over the field of more generally here is because of the part of the motion that says that in every case where there is danger to life and so on, a second opinion must be obtained. This is why it has been objected to, and that is that it would undermine the confidence of the possession if in every case where there is any danger reference for a second must be recoursed to. This is no doubt in the mind of the specialist because a good specialist is big enough to say if something comes up to him that he cannot cope that somebody else should look at it. What would sap their confidence is that every diagnosis of a serious nature made

by our consultants should have to be put to the test. The consultant would then be continuously under test in respect of the accuracy of their diagnosis and the manner of dealing with cases. This would be the thing that, as I understand the Minister said, could undermine the confidence of the specialist in this matter and, I quite understand it. I quite understand it.

The point raised by Mr Bossano about the fact that because there is a short range of cases here people could become stale is, I think, hardly fair of a profession which has considerable amount of material to read in order to keep up with the latest cases, and who also do courses, who on every opportunity they have to go to the United Kingdom visit their old hospitals and observe cases, apart from the fact that in some respects some of the doctors feel that some cases in Gibraltar, as I understand it, give them a wider vision of the cases generally - particularly for the general practitioner not so much for the consultants - that they might not have the chance of seeing in hospitals which has one speciality or another speciality and where they are House Surgeons and they are not just specialists. I think that any doctor today, with means of communication available, with the means of films and literature, medical literature, and the opportunity, any doctor worth his salt keeps up with the latest development in medicine is able to do this. He is not isolated, he is 21 hours away from London, his holidays are probably spent there, and most of the time the opportunity is taken to hold consultations with his colleagues. I do not think therefore that it is fair to say that the doctors in a small place can become stale.

There are one or two other points: again I would like to say that I am not critical of the fact that the mother sought the help of a newspaper and that the newspaper carried out a good campaign and obtained sufficient money. I am not critical of that, this has been done before, this is the privilege of a free press and this can be done. I must say, however, and I would be failing in my duties if I did not, that the last issue of the paper which referred to little Paul coming home, the phraseology of what had been achieved for the boy is not up to the campaign of what could be done for the boy, and that is that it would improve his eyesight. As I see it according to the eye specialist who has both operated on and

has been treating little Paul in London, there is no evidence to suggest that the left vision should deteriorate further nor be lost by the age of 14 years. Well that, as we have it from this side from the Minister, that was The first part of the article says: " . . . never said. became a household name in Gibraltar, returned from London last night after having undergone an operation to have the squint in his left eye removed" - which was never in doubt that this could be done here - "Thus increasing the radius of vision of that eye". Now, that is a very special definition. Of course if you are looking that way you cannot look the other way, and all that you do by putting it right is that whatever little vision you have improves the radius, but it does not say that it improves It improves the radius because the pupil the eyesight. of the eye has put it in the centre. That is what the paper says, and that is what has been achieved, and that is what could have been achieved here by a squint operation. Exactly that, there is nothing more. Unfortunately, after all the effort it seems from reading those papers that nothing more has been achieved for this boy except to correct a squint and, therefore, his radius of vision being improved. Nothing is said about the congenital disease that he was suffering, on which there are two specialists who provide the facts.

1

1

Now, the procedure for sending patients to the United Kingdom, or for second opinions, will no doubt be looked at because in every aspect of Government where decisions are taken which affect people it is a duty of those in office to see that these procedures are revised from time to time and looked at to see whether they can be improved or not. That I am sure is a matter which the Minister will do come what may of this motion. That is not the point, that is not the point. And there is nothing easier for a Government in a situation where it can take blame for what other people do, and it is right that it should take that blame, to agree to an inquiry. To agree to an inquiry would be the easiest thing in the world, the most popular thing in the world, but what we have to make sure is that we are not governed by inquiries and that everybody or every case - and I am not saying this in this particular case, that is not satisfactory - requires an inquiry. Because then it further undermines and strengthens the point made by the Minister for Medical Services, that it undermines, particularly in a sphere as delicate as this, it undermines the work of those who have

- 99 -

to carry out the decisions day in and day out in the benefit of the whole of the people of Gibraltar: looking after their health, looking after their limbs and looking after their lives. Now, that would undermine them in my view, and when the Minister said that we could not accept it, it was exactly because this was the considered view of the elected Government, let me say, and that it would undermine in these particular circumstances the It would even undermine the confidence of profession. the people concerned, however confident they might be that they had acted rightly: and however satisfied they might be, it would undermine their ability to carry out their work with the independance the profession requires of Nevertheless, the procedures will certainly be them. Whether the case merits it or not it is looked at. enough for something to be said that would affect it for the Minister to do so. I am quite sure of that. He may say: well I have looked at it three weeks ago and nothing has happened and I do not have to look at it until three or four months time, that is another matter. But that the procedures must be looked at all the time to see that we do our best for what we paid, of course is a matter which is the responsibility of Government. And I have no doubt that whatever the fate of this motion that that will be done. But that, as I say, is a different matter altogether to the question of having an inquiry. I am very glad, I was very glad to hear Mr Bossano - I have not heard Mr Xiberras yet, no doubt we will hear him when he replies - about the facts as stated by the Minister regarding this case. I only hope that these are accepted as what they are - not here, I think that they have been accepted by Mr Bossano - but my other people, because these are the things that create trouble and alarm in a community: the mother says one thing and the doctor says another; who are you to believe. If a mother has got a child who is ill, well, the inclination is that the mother must be right: whether the doctor is right or wrong, that is the human approach to the matter. As I say, the case mentioned has been satisfactorily explained; the reasons for an inquiry in our view do not exist and would undermine the service that the Government is giving. We cannot propose an amendment in order just to leave the expression of admiration for VOX, which one occasionally has, I only say occasionally and perhaps this is one of such occasions.

MR SPEAKER

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

HON M D XIBERRAS

Mr Speaker, I made it a point in introducing this motion of trying to deleniate areas of responsibility as much as I possibly could. I also made it a point of trying to present it in as cool a manner as possible. There followed the intervention of the Minister, to which I shall come in a moment, and then that of Mr Bossano who has had, as he said, a limited involvement in this case.

Mr Speaker, there is more than one way of adding wood to the fire. And what the Minister has done is I am afraid precisely that. Both the intervention of the Minister and the Chief Minister has pointed to a failure in political responsibility. Because if we are to believe what the Minister has told us, as coming from the notes of this case, and the information available to him from medical sources, then why on earth, and there is no reason why not, the essential point of the Government could not have been made at the very beginning of all this. There is no reason, and the Minister is shielding behind a fake screen of medical ethics.

¢.

1

£.

0

If Mrs Henwood was not telling the truth, if VOX was not orinting the truth, then it was the responsibility of the Minister and of the Government, when all those editions of VOX were published, or even before that, to have come out and said quite categorically: "No, this is not the case". It is a failure then of political judgement and nothing to do with doctors. But there are other failures here. How does the Minister or the Chief Minister explain that this woman went to the Minister, to local doctors, to the Chief Minister, telephoned the Chief Minister various times, to the Leader of the Opposition, to another member of the Opposition, and to the newspaper, if he was not told that there was something wrong, or something which did not auger well for her son. Is Mrs Henwood daft? Is she to be left on her own, going from one person to another trying to seek help? Even if she was mistaken about the diagnosis of what she was told, does this explain the behaviour of this woman. Going from pillar to post asking for help, asking for money, taking the child to Spain. At least there is a failure of communication which is a serious one because it does bring anxiety. And if nothing else has been done for Paul Henwood comething has been done for Paul Henwood's mother, and that is that at least she thinks now that she has done the best possible for her son. And

that is too a duty of medicine.

The Minister has endulged in exaggeration of the worst kind, and the Chief Minister has indulged in an absolute lack of logic. The Minister takes me to task for bringing this motion to this House but it does not have the courage The Chief Minister is obsiguious to to criticise VOX. "I have admiration sometimes for VOX" yes. "We VOX. agree with that part of the motion whereby VOX did a good Well, who job in raising the money", that is very good. raised this matter Mr Speaker? Who made it public in the Was it the Opposition? Was it myself? first place? Or was it VOX week after week after week? And how can Honourable Members opposite be in agreement with what VOX does, but when I bring this motion to the House, failing any kind of comment from Honourable Members opposite, how can they say that I am stiring up trouble and under-mining confidence, and yet compliment VOX. There is th "here is the logic of that.

The Chief Minister has there all the copies of VOX, be can check the dates and the date on which I tabled the motion. I mentioned in introducing the motion that the woman had come to me and I spoke to a member of the Medical Department. I did not raise it publicly. That is why I say, Mr Speaker, that there is more than one way of adding fuel to the fire, in defence of his position. do not blame the Minister for trying to defend his Т department. I am not attacking the whole of his depart-I am not attacking the whole of the medical ment. profession either. But it is the Minister who has tried to get the medical profession as a group against a legitimate complaint from the public expressed in this House. He has used the medical profession in this debate. It is not a criticism of the whole medical profession that I am indulging in.

It is not that local doctors are worth nothing. We have some here present and I can tell them in their faces, it is not that. I am concerned about one particular case coming after another particular case where the facts were absolutely conclusive, and I have in my possession copies of the diagnosis made of Mrs Henrich. But the Minister in his exageration has given grounds for a general attack by my Honourable Friend Mr Bossano, because he has paraded the whole of the medical profession. There are things which Mr Bossano has said with which I agree.

Þ

Member watches television occasionally he will see at least one particular series where the approach is different. The doctor is not sacrosanct.

HON A P MONTEGRIFFO

I have not said that doctors are not infallible.

HON M D XIBERRAS

Of course, yes, but neither are they sacrosanct. That is, neither are they in such a position that never can one question not just a doctor but the system under which they work, and this is the brunt of the motion. The motion is not a criticism of a doctor or doctors, it is a criticism of the system. But the Minister, as I say, in exaggerating the point has widened the scope of this debate and has invited Mr Bossano to attack generally. No doubt Honourable Members on this side now have no confidence at all in doctors in the eyes of the public, after what the Minister has said. But he understands doctors.

(

1

HON A P MONTEGRIFFO

Mr Speaker, I do not like to interrupt but I think I have said repeatedly, knowing the Honourable the Leader of the Opposition, that the intention of the motion was not that, but if you ask any ordinary man in the street what he thinks is the effect of that motion he will tell you what I have told you today.

HON M D XIBERRAS

I will come to that. The effect of the notion indeed. But how does the Minister answer my first point, and that is that he said absolutely nothing after VOX had published time and time again the whole story of Paul Henwood. How does he answer that one. Does he say that this motion is going to have a more detrimental effect on the public than all the articles in VOX?

HON A P MONTEGRIFFO

I said both together. In any case . .

MR SPEAKER

Order.

HON M D XIBERRAS

At least, Mr Speaker, I can come here and I can face what the Honourable Member has to say and I can take up a position: I do not rely on a newspaper to bring up these things and then come to this House and say: yes, we support the medical services. But I remember my predecessor, the Honourable Major Peliza, accusing the Honourable Member of stirring up trouble in the Medical Department, and undermining public confidence. That is in the records of this House, when the Honourable Member was on this side of the House. I do . . .

HON A P MONTEGRIFFO I would like to see that. MR SPEAKER

MR SPEAKER

1 ...

mait fraging May I make it complitely and utterly clear. I am not having Members speaking across the House. You will reply and I will have no interruptions. Stratic states

1 1

HON M D XIBERRAS

And I remember, I remember the campaign in the Gibraltar Evening Post about the medical services which was unattributable; unsigned articles.

Mr Speaker, there is no question of panic, except when the Honourable Member is in such an insecure position that he feels that because I place a motion which asks for some-. thing which is absolutely reasonable, such as when there is serious illness people should be entitled to second

opinions either in the United Kingdom or in Gibraltar. What is unreasonable about that? Does it not take place now? Perhaps not effectively. But the Honourable Member has conjured up a picture of people rushing to England because they have no trust in local doctors. That is not what I said, Mr Speaker, that is not what the motion sets out.

HON CHIEF MINISTER

The effects of it.

HON M D XIBERRAS

The effect of what, Mr Speaker? The effect of this motion, or was it the effect of the question of Mrs Antonia Henrich? A categorical case about which the Government has said absolutely nothing. And it is included in the motion as other known cases. Well, at least this motion has had one good effect. That whereas, if I may say so, in a much more serious case, that of Antonia Henrich, I pressed the Minister to review the procedure, he said "No, we shall do as much as is humanly possible". But on this occasion, with a motion which is apparently not worth as much, the Chief Minister has said: "Yes, we will review the procedure." Or is the Government going back on something which has been stated? Well, at least something has been achieved.

Mr Speaker, it is a natural thing for people to want to be assured in these circumstances. I understand, because I too know the Honourable Member well and personally. T understand the difficulties under which he labours, and any Minister labours, and I know the emotiveness of this But I would not like the Honourable Member in his subject. desire for peace, in his desire for orderliness, in his desire to ensure that the medical profession co-operates here in Gibraltar and continue to do a good job, to put a blanket over cases of this kind. And there are two now, we have brought three cases to this House. Three counting this one of course of Paul Henwood. The Antonia Henrich case was absolutely crystal clear. The woman would have lost her eye had she not gone to England. That is why now not before - but now, we press for an enquiry, because that is also what can happen from just playing a dead bat to all these representations. But Honourable Members on this side,

(

4

1

1

t

pressed by the public, might say: yes you must do more, you must go further, you must ask for the inquiry. I can tell the Honourable Member, whether he believes me or not, that the original motion did not call for an inquiry. I was pressed into it because in the Antonia Henrich case we got absolutely no satisfaction from the Minister, and I was pressing into including that part of the motion. It is turned down now. Well, if the Honourable Member in his wisdom, feels that he cannot But I warn the Honourable allow this inquiry so be it. Member that there will come a time, I hope it does not, when this procedure of inquiry will have to be used. because the area of responsibility of the doctors themselves, is so technical compared to that of the Minister that this process is a necessary safeguard and we will not be ruled by inquiries, Mr Speaker. Nor are we rushing into print or rushing to this House to make publicity about these things, the publicity already exists.

Mr Speaker, I was making the point that we are not derrogatory of local doctors, but the Honourable Minister knows, in his experience in medicine, that people go to the United Kingdom for all sorts of things. They do. They go even for a first opinion, if they can afford it. I am not advocating that though, I am not an advocate of interchange, in the medical service. I am an advocate of the agreement which he mentioned with the United Kingdom, and I am for developing this. Precisely because I know that people in Gibraltar, it is a natural thing, it happens all the time, it happens with schooling, it happens with medicine, some people like to send their children to the United Kingdom for schooling, or send members of their families to the United Kingdom for hospital treatment. Some people like to do this and some people can afford to do this, but of course it would be quite impossible for everybody to have this treatment in the United Kingdom. But what I am against is what the Honourable the Learned the Chief Minister tries to defend. The point that be That everybody would like to go to the I do not think the facts bear this out, tries to defend. United Kingdom. I do not think that the economics would make it possible for everybody.but certainly it is incontrovertible that some people do and they do it without undermining the confidence of the medical profession in Gibraltar, and they do it without undermining the confidence of the public in the medical profession of Gibraltar. Because however highly placed it does not mean that people follow examples

just like that. It is only when there is a genuine need and when they want to do something for a member of their family that they send their people, their families and so forth, to the United Kingdom. That is the only point. Sometimes it is a serious matter; sometimes it is not so serious a matter. Mr Speaker, I hesitate to. think that the suggestion in the motion should induce the Honourable Member to go to such limits. Does not everybody like a second opinion? And he says: what do I mean by a second opinion? Well, it is the word, Mr Speaker. I do not mean the foremost authority in the world by it, I do not mean that there can be nobody in Gibraltar capable of doing that, of giving this second opinion, and a leading second opinion. We have eminent Gibraltarians -aat least one who is eminent, and that motion talks about specialist opinion either in the United Kingdom or in Gibraltar. So why must the Honourable Member go out at a tangent, and the Chief Minister read into the motion that I wish to send everybody off to the United Kingdom for this. There must be safeguards, of course there must be safeguards, there must be new procedures. It is that procedure which I am asking the Government to review, because the procedure must be as far as removed from having no opinion, as to having the best opinion in the world. It must fall somewhere which is reasonable, and that is what we are trying to establish.

1

(

"UK EYES ONLY". I thought that was in very bad taste, "UK EYES ONLY"! Does the Honourable Member think that we on this side of the House are now running down the doctors in Gibraltar, whether they be English, Scot or what have you, or Gibraltarians, by this motion. That was unworthy.

Mr Speaker, the Government is going to vote against this motion because it is incapable of amending it in such a way that some good may come out of it, so it appears.

MR SPEAKER

That is not what the Government said. The Government said that they could not amend it in such a way whereby everything else could be taken away other than the complimentary matters referred to in so far as VOX is concerned.

HON M D XIBERRAS

I think in all logic they could not, Mr Speaker. If they removed everything and praised VOX for bringing this to the public notice, if they remove everything and left the part about dealing with VOX and the contributions of the people of Gibraltar, either they would say that the people of Gibraltar have been fools in contributing to this, or they would be hypocritical in their proise of VOX,

or they would be agreeing with the substance of the whole motion.

So, Mr Speaker, we shall have to take back the cause of any good that may come, and live with the good results. we hope. But let Honourable Members be aware that if there is a case of this kind in the present juncture, and if those procedures are not reviewed, and reviewed to the satisfaction of Honourable Members on this side, we shall do it again, we shall bring the motion again. If Government on the other hand reviews the procedure, If the creates something which is reasonable and satisfactory in the interests of people generally here, and bearing in mind the limitations of Gibraltar, then we shall go back to the system of talking to Ministers, or to the particular Minister responsible saying: look, we are worried about this particular case, or can we see such a doctor and so forth, But what we cannot do is to have an escalation of public complaint, unsatisfied people, and the Minister at the same time, in the words of Mr Bossano, putting the lid on things. That is not furthering the interest of our constituents and, therefore, I have no hesitation in commending this motion to the House in the knowledge that the Government is going to defeat it.

HON A P MONTEGRIFFO

Sir, in order that the Government may take some action I would like to know what he is aiming at. When he is talking about revised procedure . . .

MR SPEAKER

No, we are not going to re-open the debate now, under any circumstances.

MR SPEAKER then put the question and on a division being taken, the following Honourable Members voted in favour:

The Honourable Miss C Anes The Honourable J Bossano The Honourable L Devicenzi The Honourable W M Isola The Honourable M D Xiberras

The following Honourable Members voted against:

The Honourable I Abecasis The Honourable A J Canepa The Honourable M K Featherstone The Honourable Sir Joshua Hassan The Honourable A P Montegriffo The Honourable H J Zammitt The Honourable J K Havers The Honourable A Collings The following Honourable Members were absent:

The Honourable Lt Col J L Hoare The Honourable P J Isola The Honourable Major R J Peliza The Honourable A W Serfaty

The motion was accordingly defeated.

ADJOURNMENT

HON CHIEF MINISTER

Mr Speaker, I now move that the House do adjourn until Tuesday 23rd of this month at 10.30.

HON M D XIBERRAS

On the question of motions on the adjournment, I intimated that I might be raising the question of UK EYES ONLY as a motion on the adjournment. This debate will of course take place at the end of the final adjournment?

- 3- ·

.

MR SPEAKER

b

This will take place on the final adjournment of the House.

- ADDE RE AT THE PAR

er an "that is not a ne i e se conger S i Patie a

references to a second part of a part of the second s

Selli) de la companya de la companya

1. 02.01 45 bi u. to bitte

The motion was agreed to and the House adjourned until Tuesday the 23rd of March, 1976, at 10.30 a.m.

The Adjournment was taken at 1.00 p.m. on Thursday the 4th March 1976.

intervent of a set of a set of the for Baracila :
Bayes, and a set of the formulation a
Bayes, and a set of behave and sectal a condition
Figure 1.5 and a set of behave and sectal according
Figure 1.5 and a set of behave a set of Bardoss,
Figure 1.5 and a set of the formulation according
Figure 1.5 and a set of the formulation according
Figure 1.5 and a set of the formulation according
Figure 1.5 and a set of the formulation according
Figure 1.5 and a set of the formulation according
Figure 1.5 and a set of the formulation according
Figure 1.5 and a set of the formulation according
Figure 1.5 and a set of the formulation according
Figure 1.5 and a set of the formulation according
Figure 1.5 and a set of the formulation according
Figure 1.5 and a set of the formulation
Figure 1.5

TUESDAY 23RD MARCH 1976.

The House resumed at 10.30 an.

PRESENT:

GOVERNMENT : Destand To Destand Official

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 Information and Postal Services. The Hon Lt Col J L Hoare, Minister for Public Works and Municipal Services. The Hon H J Zammitt, Minister for Sports and Housing. The Hon J K Havers, OBE, QC, Attorney-General. The Hon A Collings, Financial and Development Secretary.

1

4

OPPOSITION:

The Hon M Xiberras, Leader of the Opposition. The Hon Major R J Peliza. The Hon P J Isola OBE. The Hon W M Isola. The Hon J Bossano. The Hon L Devincenzi. The Hon Miss C Anes.

IN ATTENDANCE:

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

MR SPEAKER:

The Hon the Attorney-General has given notice that he wishes to make a statement. I will therefore call on the Attorney-General.

HON ATTORNEY-GENERAL:

D

D

Þ

Mr Speaker, Sir, when I made a statement about security classifications in the House at its last meeting, Hon Members were not entirely satisfied and the Leader of the Opposition said he intended to raise the matter on the adjournment. The Honourable and Learned the Chief Minister for his part said that he would take a convenient opportunity to pursue the matter further and this he did. The House will also be aware that a delegation from the Gibraltar Trades Council has seen His Excellency The Governor on the subject. I am now in a position to reassure the House and the Cibraltar Trades Council that regulations do allow for authority to be granted to Gibraltarians to have access to papers bearing certain security classifications if their duties so demand. The fear that promotion prospects might be affected did not therefore arise. I am sure the House will be glad to hear of this assurance.

HON M D XIBERRAS:

Mr Speaker I thank the Honourable Member for that and we will give it all the consideration that it is worthy of.

HON J BOSSANO:

Mr Speaker, could I ask for clarification on one of the things said by the Honourable The Attorney-General?

MR SPEAKER:

For clarification, most certainly, yes.

HON J BOSSANO:

Did the Attorney-General say that the Chief Minister had in fact made representations?

HON ATTORNEY-GENERAL:

Tes I dii.

HON J BOSSANO:

Could we have an indication whether those representations were made here in Gibraltar or in the UK?

HON ATTORNEY-GENERAL:

In Gibraltar.

the stand and attack on the second of a state and an u

HON J BOSSANO: Does the Attorney -General then consider that there has been a change in the policy since the present statement, or in fact the policy first enunciated in the course of his last statement gave the wrong impression? HON ATTORNEY-GENERAL:

1

¢

1

0

x

sains on Terraid to: bib inforter of range alongenty makener

It does really clarify the position.

HON J BOSSANO:

So the position then, Mr Speaker, is that the Gibraltarians have always had UK EYES, is it?

. . .

1. . .

HON ATTORNEY_GENERAL:

It would seen that the regulations have not been changed.

HON J BOSSANO:

Is the Attorney-General saying, Mr Speaker, that the regulations were being incorrectly interpreted in Gibraltar or that in fact the regulations were correctly being interpreted but that there was no discrimination against Gibraltarians? What I want to know Mr Speaker is whether

MR SPEAKER:

We are not going to discuss the issue again. If there is something in the statement that you are not sure of you are entitled to clarification but you mustn't now try and compare one with the other.

HON J BOSSANO:

No. What I want to find out is exactly what the statement says. It was seems to me that the statement is not precise enough and I am trying to establish whether in fact the statement says that the discrimination that undoubtedly existed should not have existed and will not continue to exist. Is that what the statement says?

HON ATTORNEY-GENERAL:

No, it doesn't.

HON M D XIBERRAS:

We on this side of the House have said that for our part we will give consideration to the statement of the Honourable and Learned Member. As Honourable Members are aware this is likely to be a lengthy meeting and the opportunity, if there is any further clarification to be sought, as far as we are concerned, the matter can be raised on the adjournment.

MR SPEAKER:

You are entitled to that.

HON FINANCIAL & DEVELOPMENT SECRETARY:

Mr Speaker, Sir, I have the honour to nove the suspension of Standing Order 44(5) to lay on the table stencilled Draft Estimates of Revenue and Expenditure for the year 1976/77. I think this is the fourth year in which Estimates of Revenue and Expenditure in stencil form have been brought to the House. It has become, therefore almost a practice to receive estimates in this form, and the reasons for it are, as I know the House is fully aware, ones of both economy and practicality. I hope, therefore, the House will once more approve considering the estimates in the form in which they are to be presented.

Mr Speaker then put the question which was resolved in the affirmative, and Standing Order 44(5) was suspended.

111

HON FINANCIAL & DEVELOPMENT SECRETARY:

Mr Speaker I beg to lay on the table the Draft Estimates of Revenue and Expenditure for 1976/77.

MR SPEAKER:

Ordered to lie.

ESTIMATES OF REVENUE AND EXPENDITURE FOR 1976/77.

HON FINANCIAL & DEVELOPMENT SECRETARY:

Mr Speaker, I beg to nove that this House approves the estimates of expenditure for the financial year ending on the 31st March 1977, and on completion of my statement, that the House do resolve itself into committee to consider the Estimates of Expenditure in detail, Head by Head, including Appendix G.

Since my budget statement, Mr Speaker, is a prepared text, copies of which will be available to Honourable Members when I sit down, I propose with your permission to read.

MR SPEAKER:

May I perhaps, in order not to create a precedent, say that I will allow you to refer to copious notes - I think this is the correct terninology. Otherwise I will be accused at having allowed someone to read something.

í.

4

HON FINANCIAL & DEVELOPMENT SECRETARY:

Thank you, Mr Speaker.

In times of normality, the presentation of the Budget is probably the single most important event in the Parliamentary calendar. It is the present-day expression of an ancient practice which lies at the heart of British constitutional government whereby the executive is obliged to ask Parliament each year for the grant of a financial supply to enable it to continue its administration during the coming year.

In countries with larger and more diversified economies than Gibraltar, the Budget has long since ceased to be a mere catalogue of financial requests: it is today an instrument of economic policy with which Governments endeavour to shape their economic development and regulate the level of activity of their economies by means of fiscal measures; those designed for example, to expand or contract the money supply and domestic credit or those designed to stimulate import substitution. In such economics regulation through budgetary measures is aimed at achieving the maximum level of economic growth consistent with high employment, stable prices and balance of payments equilibrium.

In Gibraltar with its wholly urbanised siege economy totally lacking in the means of primary production, and where the only export earning sector of any significance is outside the Government's control and largely beyond its influence, the role of the budget remains essentially although not exclusively, the historical one of seeking a sufficient financial supply to ensure the continued maintenance of an acceptable level of social and administrative services. But if its scope for economic and fiscal management is much more limited than is the case in countries with diversified economies the Budget nevertheless still provides Parliament with a regular opportunity to examine the Government on its performance over the whole range of its activities and to scrutinise its policies.

D

D

There are very few, indeed if any countries in this increasingly inter-dependent world, however large and highly developed and however richly endowed with natural resources they may be, which can hope to insulate themselves from developments in the international economy. Gibraltar, with its very open economy accentuated by the political realities of its present situation, is vulnerable to the extent of being at the mercy of these developments. Some review of the international scene albeit a very superficial one, is therefore appropriate at this time.

Last year opened with a very real prospect - perhaps threat would be a better word - of international inflation escalating at a rate approaching that of some South American countries. The belief, almost universal in 1974, that permanent high inflation was here to stay was still widely held at this time last year and there were few people whether businessmen or politicians - in company I might add with a good many economists who were prepared to accept, even when it was pointed out to them, that statistically the past 300 years have seen nore periods offalling prices than of rising prices. A year ago the outlook certainly looked bleak with virtually every country in the industrialised West experiencing a rate of inflation of between 12% and 15% and in some cases a good deal more and unemployment beginning to rise rapidly. Looking back we can see that 1975 was the nadir and that world output is now beginning to nove out of recession. But the way ahead towards real and sustained economic growth is far from assured and perhaps the greatest danger facing the international economy in 1976 will be the temptation to reflate too fast with the inevitable consequence of causing overheating and regenerating inflationary tendencies. Therefore one of the most heartening signs at the present moment is that economic policy has so far proved to be much more responsible everywhere than at the equivalent stage in any of the previous six other postwar cycles. Most of the major governments have kept a tight rein on the money supply and none has - so far repeated the mistake made in previous cycles in inflating domestic expenditure in order to reduce a politically embarrassing level of unenployment. I say 'so far' to strike a cautionary note because 1976 is bound to be a year of great temptation for those of the major industrial countries which face general elections - the USA, West Germany and Japan in particular - and where the high level of unemployment is bound to be a political issue. Moreover the recent sharp depreciation of sterling and the French franc could lead to protectionist measures by other countries which could slow down the recovery in international trade.

If this temptation is resisted - and we must hope that it will be - the longer term prospect that the industrial west will pull out of this recession with an investment - led recovery begins to look promising. Falling interest rates should stimulate investment and encourage industrial borrowing for capital re-equipment and modernisation programmes, and with industrial capacity everywhere under-utilized to the extent of 10 - 20% there is no logical reason to believe that an investment - led boon will soon lead to overheating and re-ignite the inflationary fires. If the upsurge is led by investments which would be adding new productive capital and is accompanied by some carefully controlled mometary expansion it is just possible that the world might see self-sustaining annual growth in the 1980g without the high rates of inflation we have experienced in the 1970s.

1

¢.

£

The prospects for the production of prinary foodstuffs are less clear. On the one hand the high cost of energy has held back investment in the kinds of agricultural revolutions which were making yields less erratic; on the other there has been the distortion of normal levels of world demand for grain foods as a result of very large-scale purchases on the international markets in two successive years by the USSR - in normal times a country with near self-sufficiency in grain production. However the high food prices which have prevailed for some time have encouraged preparations for greater production and there is once again talk in the EEC of more produce mountains especially following the recent Brussels decision to raise the producer price of many basic foodstuffs.

Summing up this very brief and superficial sketch of the prospects for the international economy during the remainder of 1976 and the early part of 1977, there is sufficient evidence to suggest that it will see a world-wide recovery in both trade and production and the prospect of a fairly general reduction of the year-on-year rate of inflation to single figure levels. But we must recognise that this hopeful prognosis for a gradual, but steady return to world economic health and vigour could be changed, perhaps dramatically, if the current racial and political tensions in Southern Africa were to lead to open warfares. Hositilities there would be virtually certain to produce steep increases in the prices of basic ommodities which could set in motion a new wave of cost inflation forces.

What then does all this portend for Gibraltar?

As I said just now we live in an increasingly interdependent world and while international economic developments are bound to affect us both directly and indirectly, it is the economic health of the United Kingdom which is still the dominant factor for us in Gibraltar. For a number of reasons which I do not need to go into inflation has been more persistent and more difficult to contain in Britain than in some of the other industrialised countries, but the determined policy of wages and prices restraint which Her Majesty's Government in the United Kingdon has been pursuing seens at last to be bearing fruit. The United Kingdon retail prices index for January published last nonth, showed that on a quarterly basis the rate of inflation had been halved and it is now expected to fall to single figures by the end of the year. For Gibraltar this should mean that the price of British imports (and they account for about 50% of the total exclusive of petroleum imports) will not rise as sharply as they have done in the recent past although it may take time for the effects to work through. On the other hand I am afraid that the price of imported goods from elsewhere will rise as the £ sterling continues to float down as most monetary forecasters are predicting.

We nust also bear in mind that in its battle to reduce inflation the British Government has allowed real incomes to fall as net wage increases rise more slowly than prices, and unless next month's budget introduces a change of policy, no reflationary steps have been taken to reduce unemployment from its present record post-war level. Taken together these factors could make themselves felt in our tourist trade: the pressure on net disposable incomes at all levels and high unemployment in areas from which we might expect to attract many of our summer visitors do not augur an increase in tourist traffic during the coming season.

Public sector expenditure in the United Kingdon has been maintained at an unprecedently high proportion of national output during the recession but as the House will be aware the British Government announced last month its proposals for drastic and wide-ranging reductions in programme spending over the next 5 years. These proposals involve a structural shift towards investment in industrial growth and an overall reduction of £3 billion by 1978-79 in other programmes. Hardly any programmes have escaped unscathed and it would be surprising if a cut of this magnitude did not have some repercussions on the level of United Kingdom spending in Gibraltar at some stage.

Let me now say something about our own economic state of health in 1975.

Inflation, price increases and the cost of living are forenost in everyone's minds and with good reason. So I will begin with prices. It may come as something of a surprise to some, but by comparison with a great many countries, Gibraltar occupied a relatively lowly place in the international inflation league. I won't say that we were ever in danger of relegation because with the inverted scale of inflationary values one only gets relegated when one comes top. But we did begin the year well up amongst the leaders: during the first quarter of 1975 the Index of Retail Prices rose by roughly 30%. By the last quarter however this had fallen to 12% calculated at an annual rate. Taking 1975 as a whole therefore, the Index of Retail Prices rose by only 15.4% as comapred with 20.7% for 1974. In view of the current propensity to make comparisons with the United Kingdon, the House may be interested to learn that this was the reverse of what happened there: in 1974 prices in Britain rose by 19.9% while in 1975 they had escalated to 23.4%. Knowing the penchant of those Herbourable Members who sit opposite for asking "Why?", let ne forestall an incuitable question and give at any rate two reasons. One is that the effect of the oil price rises was felt much earlier in Gibraltar. As all consumers of electricity know to their cost, tariff charges were raised in May 1974 to take full account of the rise in fuel costs whereas in the United Kingdon the increased costs were staggered and did not become fully effective until 1975. The second explanation is of course that in Gibraltar there has been in effect, a standstill in public sector wages because of the delay of settling the Scamp recommendations.

1

Any slow-down in the rate of inflation ruling in 1974 is to be welcomed but the most encouraging sign of all has been in respect of food prices. Over the period July 1975 to January 1976 the index of food prices rose by only 3.4% and this reflected some easing of world prices of most basic foodstuff commodities from their record post-war peaks in 1974. In the case of meat the utilization of the so-called 'beef mountain' in the EEC was also a contributory factor in keeping the price of meat down to the benefit of family budgets.

Next trade. The total value of imports rose by 7.7% in 1975 from just over £25 million in the previous year to just over £27 million. Excluding mineral fuels and lubricants which are largely re-exported, the value of domestic imports at £18.39 million represented an increase of 13.5% as compared with 1974. Relating this to the movement of the Index of Retail Prices which, as I stated a moment ago, rose by 15.4% during 1975, there would appear to have been only a small fall in the overall level of consumption. Food imports, although rising by 12.5% in value as compared with 1974, accounted for a smaller proportion of non-oil imports - 36.5% as against 39.3% the previous year.

Exports by value rose by 2.6% during the year to some £10.75 million but the volume of petroleum products re-exported dropped sharply by 11.5% from some 226,000 tons in 1974 to some 200,000 tons in 1975 reflecting, at least to some extent, the reduction in the volume of international shipping in commission.

The visible trade deficit in 1975 was £16.3 million as compared with £14.6 million in 1974, an increase of some 16%. Although no detailed statistics are available for all invisible earnings, it is estimated that in terms of United Kingdom defence expenditure locally and development aid grants, together with tourist expenditure, expenditure by merchant shipping and the foreign earnings of the financial sector, invisibles more than compensated for this deficit and possibly amounted to about £19 million.

Deposits in the hands of the connerical banks at the end of December 1975 anounted to £21.5 nillion as compared with £18.8 nillion twelve nonths previously - an increase of 14.4%. Broadly speaking over the <u>two</u> years between December 1973 and December 1975 the rise in the quantum of bank deposits about kept pace with the concurrent rate of inflation but there was a marked change in the composition of deposit holdings. During the two-year period demand deposits increased by a mere £320,000 or 5.3% whereas time deposits rose by no less than £5.6m or 65.8%. There may be several explanations of this change but the most likely reason is that the substantial move into time deposits was in response to the high rates of interest obtainable on such deposits and reflected depositors' efforts to find a hedge against inflation and to preserve as far as possible the real value of their savings.

Savings account deposits with the connercial banks rose to £1.12 million during the twelve nonths to December 1975 - an increase of 8.3% - while in the same period the value of deposits with the Post Office Savings Bank continued to fall. In December 1973 these deposits stood at £1.43 million while at the end of December last year the figure was £1.27 million - a decline of 12.2% over the two-year period. When account is taken of the fall in the value of noney during this time, the decline in real terms is obviously considerably greater: and although it was not as serious, there is no doubt that in real terms the value of savings account deposits with the connerical banks also declined. The decline can be accounted for by the relatively low rates of interest payable on savings accounts as compared with other forms of savings. Ofcourse because of the interest rate differential the decline in the volume of savings account deposits in the hands of the Post Office Savings Bank and the Connerical Banks has resulted in higher profits. The current downward trend of interest rates generally should have a steadying effect and if this continues, as it may well do, I would expect to see less novement out of the Post Office Savings Bank over the next twelve nonth period.

In spite of the recession in 1975 and the inevitable reduction in the volume of all classes of shipping keeping the seas, the number of ships calling at Gibraltar actually increased slightly as compared with 1974. 2433 deep sea ships, with a net registered tonnage of 14.49 million tons called at Gibraltar during the year - 49 more than in 1974. The year also saw a marked acceleration of the trend towards container traffic with 498 containers being handled as against 292 during 1974 - in percentage terms, an increase of over 70%.

Sea cruising with its very high operational costs has suffered badly as a result of inflation: steadily increasing fares coupled with almost world-wide pressure on disposable incones at all levels has reduced the overall denand for cruise holidays. It is not surprising therefore that we in Gibraltar saw the effects of this last year with a 21% drop in the number of cruise passengers landed - 48,062 compared with 60,793 the year before. Next to the wage earning services provided for the United Kingdon defences establishment, tourism is Gibraltar's largest source of export earnings. It is all the more gratifying to report therefore, that in an otherwise rather cheerless year economically speaking, the industry on the whole had a relatively good twelve nonths. Arrivals by air staying in Gibraltar were up by over 8% on 1974, tourist guest nights rose by 8.5% and tourist arrivals staying in our hotels, accounting for 87.6% of all arrivals, increased by 14%. Bed occupancy also increased from 49.5% in 1974 to 53% last year. The average length of stay on the Rock however declined slightly from 6.8 days in 1974 to 6.5 days in 1975. In money terms tourist expenditure is estimated to have been about £4 million, some 15 - 20% above the estimated amount spent by visitors the previous year. In real terms therefore it looks as if the average tourist in 1975 spent about the same or slightly more than his or her 1974 counterpart. In view of wage inflation in 1975 this is what one might expect. But one might not expect to find that visiting yachtsmen - or I suppose I must now say yachtspeople - spend more per head than other tourist visitors. Yet this is what surveys carried out by the Statistics Office clearly indicate. Visiting yachts, in fact, are an important source of tourist revenue and the number which call at Gibraltar seens to be increasing. Calls in 1975 went up by 9.2% and I feel myself that yachting is potentially an important growth area within our tourist industry and one which should, and will I hope, be stimulated by the improvements to the existing facilities for which provision has been made in the Improvement and Development Fund Estimates for 1976-77.

No review of our economic state of health would be complete without some mention of the Scamp Report. If the slowdown in the rate of inflation during the latter part of 1975 and the early part of this year was the nost significant event in economic terms during the past twelve nonths - and I think it was - the proposals made by Sir Jack Scamp to link public sector wages and salaries in Gibraltar to those of counterpart public employees in the United Kingdom were a close second. The delay in reaching full agreenent in the current negotiations a delay which, whatever certain Honourable Menbers on the other side may allege, the Government regrets and is concerned at as much as anyone - has clearly introduced some distortion in our economy over the past year (although this cannot be quantified) and it has certainly had a distorting effect, as I shall show when we come to the estimates, on the Government's financial position. The one obvious effect of this delay has been, of course, that there has been a wages standstill in the public sector with the result that a substantial proportion of local households may have seen a decline in real earnings which in turn will have affected the level of activity to some extent in the private sector. Because we in Gibraltar have no option but to spend a very large part of our disposable incomes on the purchase of imported consumer goods as opposed to locally produced or locally manufactured goods, technically this is known as import leakage the true income effect cannot be measured purely in terms of the accumulated backlog of wage

1

increases. It seems obvious too, from the fact that there has been no substantial drop in the level of consumption that some households have maintained their standard of living, - and a few may actually have increased it - by drawing on past savings or through obtaining credit. The statistics of bank loans and advances lends support for this view: in the twelve months to December 1975 these increased by some £2.8 million. It is quite probable therefore, when eventually the relevant figures are available for statistical analysis that it will be found that payment of the settlements when they are finally made will have resulted in a net accumulation of savings.

Unemployment amongst Gibraltarians has unfortunately increased over the past year; in particular this has been so in the case of juvenile females for whom the demand in the retail sector especially has declined in step with the increases in wages which have been negotiated. While the average number of unemployed adults, the majority of whom are unskilled, rose from 37 in 1974 to 65 in 1975, the demand for skilled artisans generally and for certain skills in particular has consistently exceeded the supply. The Government's attempts to alleviate this situation by recruiting suitable skilled labour from elsewhere has met with only limited success.

With that as a back-cloth so to speak, let me now review the Government's financial position and performance during the financial year which is about to end.

I shall take as a starting point the out-turn for the financial year which ended on 31st March 1975. The revised estimates for that year presented to the House at Budget time, showed that we expected a deficit of £187,477. In the out-turn the final result was a surplus of £137,132 on the year's working as I ammounced to the House at Question Time earlier this year. The improvement, as I said at the time, was due to a net revenue gain, as compared with the revised estimates, of some £324,000 to which we were able to add a useful £75,000 from the management of the Consolidated Fund Investment port folio. The actual balance in the Consolidated Fund as at 31st March, 1975 was thus £1,437,901. It must be recognised however, that this is an inflated figure. Had it been possible to reach a settlement of the biennial review in the autumn of 1974 the actual balance at the end of the year would, of course, have been reduced by the cost of six months' salaries and wages at whatever higher rates had been negotiated without any benefit in income tax revenue from October 1974 to March 1975.

This is the distortion to which I referred a few moments ago. And in looking at our financial performance during the year now ending, it must be kept constantly in mind that the quantum of revenue and expenditure shown in the revised estimates is related to 1973-74 basic wage and salary levels plus COLA and the Interim Award which came into payment at the end of 1974. The figures would be very different indeed had there been a full settlement of the biennial review and the revised estimate of the Consolidated Fund Balance at the end of the year would

D

not be the illusory figure that it is. The figure of £2,546,245 shown under the General Reserve in the Financial Statement which prefaces

the Estimates which we shall consider in detail later, is, of course, the best estimate we can make at this stage of the actual balance in the Consolidated Fund which we shall carry forward into the next financial year. But the point I have to stress, the point which the House and the public must understand, is that it does not mean that we are a great deal wicher than we were at this time last year; it does not mean that the measures to increase revenue which were introduced in last year's budget were unnecessary and it certainly does not mean that there is any roon for budgetary largesse. A substantial part of this balance, probably a very substantial part of it, is committed; it is, if you like, pledged to finance the cost of the eventual wages and salaries settlements for the Government's employees. That is the fact which must be grasped. We have been living these past 18 months, Mr Speaker, if you will forgive the colloquialism, we have been living "on tick" and one day soon, very soon I hope, the bills will be presented for payment. We stand ready to pay; we can pay without imperilling the City's financial stability, but that would not be the case if the Government had listened in the past, to some of the voices in this House. I have no doubt that those same voices will be raised again. But the fact is, Mr Speaker, as I have stated it: and I repeat, a substantial part, probably a very substantial part of the balance we are carrying forward to 1976-77 is fully committed.

ŧ.

Having said that, the out-turn for the current financial year is certainly going to be better than we budgeted for at this time last year. We estimated then that we should have a surplus on the year's working of £891,050 and we proposed to utilise £240,000 of this to make a much needed, indeed essential contribution to the Improvement and Development Fund, leaving £651,050 to be carried to reserves. As the Revised Estimates show we now expect to end this year, after appropriating the contribution to the Improvement Fund, with a surplus of £1,108,344.

I an well aware from my reading of last year's budget debate - a time consuming and unexciting task Mr Speaker, for the Hansard is an exceedingly turgid document - I am well aware that my predecessor was accused from the Opposition bench by the now Honourable the Independent Member, of being ultra conservative in the face of a financial situation which the Honourable Member felt was in better shape than it appeared from the estimates then made. It was suggested then that the revenue yield from income tax was put at a too conservative figure. I can only say that on that particular point the Honourable Member's hunch has proved to be correct. Of the amount of £850,000 (and I shall be using rounded figures) by which we now expect the total yield from all sources of revenue to exceed the original estimate, £750,000 will be on account of income tax and this is an appropriate place to offer some comment on the growth of revenue from this source.

- 122 -

Now that we have had nearly a year's experience of the PAYE system in operation it is quite obvious that the effect of its introduction on tax revenue was underestimated. That is a fact but it is a fact that can only be seen with the benefit of hindsight and it is an entirely different thing to predict in advance in a matter as complex as income tax the results of a radical change in the basis of assessment. Hunches are all very well for members of the Opposition.

Quite apart from the fact that the PAYE system means that assessments are raised on current earnings instead of on past earnings as was previously the case, it is administratively a far more efficient and effective method of both assessment and collection and because of that the Income Tax Department is able to devote greater efforts to the assessment and collection of tax on incomes outside the PAYE system. So while the increased revenue from income tax as reflected in the Revised Estimates is primarily due directly to the introduction of PAYE it is also in part due to the improved assessment and collection of tax from companies, small traders and other self-employed persons as a result of the greater efforts which the Department has been able to make in this direction.

The other significant revenue increases arises from the operation of the Post Office Savings Bank. The original estimate of the Bank's profit for the year was put at £80,000. Given the many factors which can influence the final profit on a year's operations, in particular the fluctuating level of deposits, the switching of investments in both directions between long, medium and short term gilts and changes in the market value of investments generally, estimation on the operating profit is bound to involve a wide margin of error. In the event the year's operations showed a profit which, after providing for the statutory reserve, resulted in £305,000 being available for transfer to revenue. · Revenue from Port, Harbour and wharf dues, the profit on the Lottery and on the Currency Note Income Account are all expected to improve on the original estimates. This is a suitable point to record the Government's appreciation of the excellent work which is carried on behind the scenes by the Lottery Advisory Committee. They have contributed in no mean measure both directly by their efforts and indirectly by their advice towards making the Lottery the success it is.

But as well as windfalls there are some anticipated shortfalls as well, notably some £151,000 under Municipal Services receipts and £70,000 from House rents. Sales of the commemorative gold coin issue have also been less than expected and revenue from this source this year is not expected to exceed £50,000 whereas we originally estimated we would take in £100,000. We are advised that there are better prospects for 1976-77 and receipts of £100,000 have therefore been provided in the draft Revenue Estimates. Turning to expenditure, most Heads will exceed the original estimate due to rising costs generally although there is room to doubt whether our present control over voted expenditure is as strict as it should be. I shall have something more to say about this later. Provision has also had to be made during the year for certain expenditure which could not have been foreseen when the original estimates were prepared; I might give as instances the recent contribution of £20,000 to the John Mackintosh Homes and the cost of carrying our urgent and essential repairs to the water catchments which amounted to £26,000. It was also necessary to re-vote some items from 1974-75. The largest single item of expenditure which was not provided for in the estimates as approved by the House a year ago was of course the appropriation earlier in this neeting of the £240,000 set aside as a contribution to the Improvement and Development Fund.

¢.

1

1

Overall and inclusive of this contribution total recurrent expenditure for the year is expected to exceed the original estimate by some £640,000 resulting, as I have already stated, in a surplus on the year's working of £1,108,344 and a balance to be carried forward in the Consolidated Fund of £2,546,245.

And now to the coming year.

At the beginning of my speech I attempted a very brief and very superficial review of the prospects for the world economy for the rest of 1976 and the beginning of 1977. I should like now to make some reference to a matter of purely local significance which could affect our economic health and our ability to stand on our own two financial feet.

It is the Government's fervent hope that the current wage and salaries negotiations will not drag on much longer; that they can be brought speedily to complete and successful finality and that the agreed settlements can be implemented very early in the new financial year. That will involve a radical revision of the estimates which are now before the House but at this moment I an not concerned with the financial effects of implementation but with other, less obvious but nonetheless important considerations. Implementation will, we must all hope, establish a sound basis for good and stable industrial relations in future and make possible a substantial and continuing growth in real earnings. The latter, of course, is largely at the mercy of imported inflation over which Gibraltar has no control but as I have indicated earlier there are now positive signs that the world is on the verge of a recovery from slumpflation and that the erosion of money values has been slowed down considerably. But growth in real earnings in Gibraltar can be threatened by factors inside our own economy which we can influence as well as those from outside which we cannot. Faced with higher and rising wage costs, employers are bound to try and make nore effective use of manpower through redeployment and reappraisal

of manning practices and this is especially so in the case of the export services which are in competition with similar services elsewhere. If therefore, the final settlement of the current wage and salaries negotiations is to result in a continuing growth of real earnings, there must be a commensurate increase in productivity. If this does not happen we shall make ourselves the victims of a locally generated wage/cost inflation which must result in the end in rising unemployment and the need to increase the burden of taxation in order to pay for the mounting cost of government and the public services. And in that case there will be no one else to blame but ourselves.

- 125 -

By way of a preface to the Estimates of Revenue and Expenditure for the coming year, there are two observations of a general nature which I should like to make.

To begin with let me say that they do not reflect any attempt to assess, much less to predict, the financial consequences of any final settlement on the on-going wages and salaries negotiations. They do not do so for the reason which I stated in the House on an earlier occasion: until agreements covering all grades in the public sector have been reached it is impossible to establish the final overall cost or, of course, to estimate how much will need to be provide under each Head of Expenditure. The financial position reflected in these estimates is, like that for 1975/76, distorted and as I have already made clear this distortion is bound to exist for so long as the final settlements are delayed.

Except for one or two changes which I shall mention, the estimates of recurrent revenue and expenditure are presented in the usual format. It is not, in my view, a satisfactory one and there is room for considerable improvement both in terms of content and in the manner in which the information is presented. In fact, Mr Speaker, the format of our estimates is in need of some cosmetic surgery and this I hope to perform on those for 1977-78.

The changes which have been made this year are only minor. The estimates of expenditure on the Consolidated Fund Services now appears before those for which a supply is sought instead of at the end. Putting the Consolidated Fund estimates last was illogical since the expenditure they reflect is authorised by law and is therefore a first charge on the revenue. Income Tax revenue has been given a separate Head - Head 1. It was absurd that the Government's largest single source of revenue should have been classified under Licences etc. The Supply Services have been arranged in alphabetical order and the separate Heads provided in the current year's estimates for Ecclesiastical and Miscellaneous Services Head the various provisions have been redistributed as indicated on page 66A. Two new Heads have been created: Housing which is now Head 9, and Recreation and Sport, Head 21. One other change merits a nention: a new expenditure classification has been introduced - Special Expenditure. Broadly speaking to be classified as such the expenditure must be for a single identifiable purpose with non-annually recurrent connotations.

I do not intend to deal with the Estimates for 1976-77 in detail. They will, if the custom of previous years prevails as no doubt it will, receive the most thorough scrutiny as they pass through Committee although I would remind the House once again that when there is a final settlement of the wages and salaries negotiations the figures it will be looking at will be very different. Every expenditure Head will be affected not only as regards Personal Encluments but in respect of many of the Other Charges subheads as well.

I an therefore going to confine myself to some general observations on the salient features.

First Revenue. Total recurrent revenue on the basis of existing rates has been put at £11,789,300, an increase of £1,324,900 or 12.7% over the original estimate for the current year. Except for Head 8 - Interest - all Heads of Revenue show some increases but the largest increase by far is from Income Tax where by comparison with the original 1975-76 estimate the increase is £1 million. But as I have already explained in reference to the revised estimate from this source this year, the original figure was a substantial underestimate. It would therefore be grossly misleading to represent that the Government's estimate of the yield from income tax in 1976-77 is £1 million more than in the current year. The comparative increase as things are at this time is expected to be £250,000. It will obviously have to be revised when the higher levels of wages and salaries come in course of payment.

1

¢.

Inport and Export Duties, the second nost inportant source of Government revenue, are estimated to yield £2,400,000, an increase of £60,000 over the original estimate made for this year and £40,000 over the revised estimate. There is, of course, a built-in element of annual growth through ad-valoren duties but as I have already pointed out inflation is slowing down and although this slow-down may take time to work its way through to prices at the source of our imports, I an sufficiently optimistic to believe that there will be a noticeable effect on landed costs before the end of the financial year.

Now expenditure. Estimated expenditure for 1976-77 at £11,066,770 is up by £1,493.420 or 15.6% on the original estimate for 1975-76. Comparing this with the revised estimate of total expenditure for this year the increase is £856,484 or 8.4%. The expenditure estimates do not reflect any significant policy changes nor any substantial change in the level and scope of the public services. The increase which has been provided for is due nore than anything else to rising costs and the House will note that expressed as a percentage of last year's approved provision the increase almost exactly matches the annual rate of rise in the Index of Retail Prices last year. The total establishment for which provision under the Personal Establishments subheads has been made is 1701, and is an increase of only 15 over the present authorised establishment.

I do not consider that the Budget Statement is the proper place to go into the details of estimated spending by departments. ¹⁴inisters will be making their own statements in support of the estimates of the departments for which they are responsible when the relevant Heads are considered in Connittee. Nevertheless, there are one or two connents of a general nature which I should like to make.

The sector pattern of annually recurrent expenditure remains remarkably constant from year to year. For example, on social services as a whole - that is education, medical and health, labour and social security - the Government will be spending 28.8% of total recurrent expenditure. This is only fractionally more than the corresponding aggregate spending figure in 1973-74. As we should expect however, expenditure on labour and social services taken separately has shown a marked increase and in 1976-77 will account for 7.5% of total budgeted spending on recurrent services.

Expenditure on pensions and gratuities next year will go up by almost £100,000 and now accounts for 5.9% of total annual spending. This is inevitable of course and there will be an inexorable increase every year in future. Some indication of what this will involve for future budgets can be gauged from the fact that the cost has risen 10 times in money terms over the past 10 years.

As the House knows it is the declared policy of the Government that social security benefits should, as far as possible, be increased in line with the rise in the cost of living. This policy is reflected in the estimate for Head 11 where a further £168,000 has been provided for this purpose.

My final connent is on Head 5 where once again electricity generating costs are being forced up by increased fuel costs and, just as much although of course less in aggregate terms, by the cost of mechanical spares and replacements.

Taking the Estimates as a whole the working balance on the year is estimated to be a surplus of £722,530 which, after allowing for the proposed contribution to the Improvement and Development Fund will leave a net surplus of £492,530.

I do not think there is any need, Mr Speaker, for me to repeat that the Estimates will present a vastly different picture when they reflect the eventual wages and salaries settlements and that the surplus will certainly be transferred into a substantial deficit, though how substantial it is impossible to estimate at this stage. Let ne now say something about the notional accounts for the Municipal Services. These have been the subject of criticism from across the way at the last two budget sessions and the Honourable the Independent Member speaking for the Opposition last year voiced again his dissatisfaction with the information which is made available in these notional accounts. As the House will recall he returned to the charge at Question Time at an earlier meeting this year. I said then that I was not proposing to make any change this year in the way in which these accounts are presented. I did however also say that I would be making an in depth study of the matter in the course of the coming financial year.

1

¢.

¢.

Putting it into ny own words, I think the essence of the Honourable the Independent Menber's argument last year was that in their present form it is impossible to tell from the accounts whether the Municipal Services are already self-financing or not or to what extent they are not. It is a valid argument, and now that I an a little more familiar with things than I was when the Hon. Menber questioned me in this House at the beginning of the year, I can readily agree with him that the accounts on their present form are not satisfactory. I cannot at this stage say, however, how best they should be improved: I have certain ideas, as the Honourable Menbers knows, but these will need detailed study to ascertain their practicality and I have already set up a departmental working party for that purpose.

I will make only one other comment on these notional accounts. As the House is now aware the Government unlike the erstwhile City Council is not under any statutory obligation to ensure that the Municipal Services are self-financing. This is not the same thing as saying that the various accounts need not be balanced. Of course they must be balanced but it is a matter of policy how they are balanced. It happens to be my personal view that as a matter of financial and economic principle consumer undertakings should pay their own way but I recognise also that in the matter of public utilities there are nevertheless social as well as economic policy considerations which can be sufficiently powerful to justify some departure from principle.

Before I leave the recurrent estimates I should like to say a word or two about the performance of budgetary management as I find it in Gibraltar. It is in my opinion far from satisfactory: there is, it seems to me, an insufficient appreciation of the principles of good budgetary control and the tenets of sound financial management and some of our current procedures, and certainly some of our practices do not conform to either those principles or those tenets. The relevant provisions of the Constitution Order in Council and the Financial Procedure Ordinance fully endorse the accepted budgetary principles which are at the root of Parliament's supremacy in matters of public spending although there are areas in the latter which could, and in due time, will I hope be made more explicit. But it is quite clear from the evidence which has crossed my desk in the five months I have been in Gibraltar that these principles are not fully understood: there are far too many applications for supplementary financial provision <u>after</u> commitments have been entered into and indeed not infrequently, especially at this time of the year, <u>after</u> votes have been overspent. This all points to an insufficiently tight control by Accounting Officers of the public moneys which this House has placed under their control.

I fully appreciate and recognise the difficulties inherent in the grossly excessive inflationary times through which we have been passing, of keeping expenditure within the cash limits imposed by the Estimates, but while this night be advanced as a reason for requiring supplementary provision it is no excuse for overspending in anticipation of the grant of a supplementary appropriation. This is to demonstrate a failure to understand the principles to which I have referred and a lack of foresight.

I take this opportunity of serving notice on all Accounting Officers of my intention to insist on much stricter control of public expenditure in 1976-77 and on the maintenance of a much higher standard of financial management.

Mr Speaker, our procedure in this House for dealing with the Inprovement and Development Fund Estimates is governed by the provisions of the Financial Procedure Ordinance which requires expenditure from the Fund to be appropriated by special resolution instead of being included in the annual appropriation Ordinance. The inference is that the Government's capital expenditure is not related to its expenditure on recurrent services and indeed is not really a part of the Budget. That inference is in my view completely false and from the point of view of budgetary management it represents a dangerous misconception. Not only is the Government's capital expenditure programme an integral part of the Budget but it has a direct bearing on the level of recurrent expenditure, for nearly every pound spent on capital investment generates a future recurrent charge.

The need for, and indeed the rationale for the periodic appropriation of Consolidated Fund noneys for transfer to the Improvement and Development Fund has been questioned in this House on more than one occasion in the past. Let me therefore say something about this by way of an introduction to the 1976-77 Fund Estimates.

The Fund was established in 1956 with a contribution from General Revenue of £30,000. In 1964 it absorbed the balances available in the Loan Fund and the Housing Account and since then all major capital works undertaken by the Government have been financed directly from the Fund. But the Fund has no revenue of its own - that is to say, none of the Ordinary revenues of the Government is hypothecated for the Fund. A specific source of funds must therefore be found for each capital project to be financed from the Fund. Apart from one or two miscellaneous credits which are insignificant, there are only three possible sources - United Kingdom development aid grants or loans, local borrowing, and appropriations from the Consolidated Fund. I do not think there is any need to say much about the first source except to emphasise that development aid grants are actually forthcoming only when the specific project to which they are to be applied has been approved by Her Majesty's Government. Moreover, it is a condition of development aid that no grant can be applied to reimburse local funds already spent on a project where those funds have been comitted in advance and in anticipation of the approval of the project.

In respect to the other two sources it is a question of striking a balance between local borrowing and revenue contributions and there are two prinary considerations. First there is the question of weighing the debt servicing charges against the financial resources available at the time and in relation to the cost of the public debt as a whole. Secondly it has to be borne in mind that Government borrowing is in open market competition for such investment capital as is currently available. The cost of borrowing is therefore, an important consideration when the noney borrowed is to be applied, as is the case in Gibraltar in all but a very few cases, to non-revenue producing projects. The Government does of course utilise the surpluses on its other funds to underwrite its public borrowing and in fact has been repeatedly forced to do so to finance its Improvement and Development Fund commitments but there are strict limits to the extent to which a Government can and should borrow from itself. It is, as I have said, a question of striking a balance between korrowing and revenue contributions. With the Public Debt standing at just over £5 million on 31st March 1975 the great proportion of which is in respect of social capital investment, that is non-revenue earning investment, plus a further \pounds_2^1 million borrowed during the course of the current financial year largely for the same purpose, bringing the debt servicing charges in 1976-77 to £540,000, we shall not be far off striking that balance with the further borrowing we propose in 1976-77.

This, Mr Speaker, is the background against which the Government's proposal to make a further contribution to the Improvement and Development Fund in 1976-77 must be seen.

The current position of the Fund is as follows: the opening balance on 1st April 1975 was a deficit of £101,475; the operations on the Fund during the course of the year are expected to result in a total expenditure of £2,918,324 against receipts, including this year's revenue contribution of £240,000, of £3,044,361. Thus the opening balance to be brought forward on 1st April 1976 is expected to be a surplus of £24,562.

The Government's capital programme for 1976-77 as reflected in the Estimates of the Fund calls for expenditure of £3,914,841 of which it is expected that projects anounting to £3,223,961 will be financed from United Kindon development aid grants leaving the balance of £690,880 to be financed from our own resources. Miscellaneous receipts, including a small loan repayment, the details of which Honourable Members will find on page 74 of the Estimates, will amount to £106,400 and taking account of the proposed revenue contribution and the estimated opening credit balance this leaves £329,918 to be covered. At this stage it is not proposed to budget to close this gap completely and initially it is intended to raise only a further £300,000 by the issue of new debentures.

I have left until last a matter on which the Honourable the Leader of the Opposition has expressed concern, on, I think, more than one occasion at this time - I know he did last year for I have read all that he had to say. I refer Mr Speaker, to our Budget procedure. The burden of the opposition's complaint was that the present procedure results in the Budget being dealt with piecemeal and in particular that it results in the House being asked to approve the estimates of expenditure before it has any inkling of the Government's revenue proposals.

On the question of the Budget procedure generally, the Government accepts in principle that there is some substance in the Opposition's complaint and has unler consideration certain ideas which would, I think, meet the case. In the meantime I have attempted in this Statement to present this year's Budget as a whole and to put the Estimates for the coming year in a wider framework than has been the case on previous occasions, to convey a sense of perspective and in so far as the Estimates lend themselves to such treatment in Gibraltar's circumstances, to treat them in economic terms rather than as a detailed catalogue of financial indents.

With the full authority of the Government, I now propose to attend to the Honourable the Leader of the Opposition's particular complaint and deal with the Government's revenue proposals.

If the Estimates are approved by the House without any significant changes, the Government has no new revenue raising measures to bring. But should it be the will of the House to incorporate proposals which will significantly affect the present balance between estimated revenue and estimated expenditure, then of course the Government would have to reconsider the matter.

I was careful to say Mr Speaker, that the Government has no <u>new</u> revenue raising measures to bring to the House: I did not say that it had no revenue measures at all.

It has indeed - three.

Firstly the Government proposes to give effect as from the 1st April 1976, to the statements made both in this House and in official correspondence with the Pensioners' Association, namely that for persons over the age of 65, no tax is chargeable on the first £870 cf income in the case of a single person, or on the first £1305 of income in the case of a married couple. Those income figures, Mr Speaker, are the amounts which were actually quoted in the statements but the latter amount does not reflect an appropriate differential between a single person and a narried couple. The Government has therefore decided to increase the amount of £1305 to £1370. The effect of this proposal therefore is to give an age allowance of £320 to all taxpayers over the age of 65. Thus stating it in full the Government's proposal is that for persons over the age of 65 no tax will be charged on the first £870 of income in the case of a single person or on the first £1370 of income in the case of a married couple. The necessary amending legislation will be brought to the House at the next meeting and will, as I have indicated, have retrospective effect from the lst April this year.

ſ

ſ

ſ.

Mr Speaker, since it was I who made the statement in the House to which I have referred, and since the information contained in that statement was, at the time I made it, incorrect, I should be in serious breach of the custom of the House if I made no apology. The statement was made both here and previously to the Pensioners' Avsociation in all good faith and I apologise. However, I think the decision which I have just announced will sound far sweeter than any formal apology that I could make.

The second revenue proposal that I have to announce concerns stamp duties. The Government proposes to abolish stamp duty on the following instruments:-

> Cheques, Bills of Lading, Receipts, Passport Application Forms.

It is highly questionable whether the present-day administrative costs of collecting and accounting for these duties justifies their continued existence but in addition to this, it is clear that the abolition of these petty duties would be welconed by all concerned, not from the tax relief point of view - and I estimate that they yield about £5000 in a full year - but because of the inconvenience to which they give rise.

The third proposal relates to the Gaming Tax Ordinance. It is proposed to reduce the fee for Betting Shop Licences from £250 to £50; in respect of Booknakers' Pernits the fee payable will be reduced from £100 to £20 and in respect of Betting Agency Pernits it is proposed to reduce the fee to £5 from the present £25. The revenue foregone as a result of these reductions is estimated to amount to about £1100 in a full revenue year and the Government considers that this is not only possible but fair in the light of the extra revenue which is accruing as a result of the betting tax which is collected with the collaboration of the various licensees. The necessary amending legislation to give effect to the former of these last two proposals will be brought to the House at the next meeting. The changes contained in the latter proposal can be made by Regulation under Section 5(d) of the Gaming Tax Ordinance and the necessary Regulation will be made as soon as possible.

Mr Speaker, all Financial Secretaries have a touch of the Jereniah about them and I am no exception. I shall end therefore on a cautionary note. In spite of the fact that there is an apparent buoyancy about our revenues in relation to our expenditure there is no cause for complacency. There may be time for that - and I said may be, not will be - there may be a time for that when we have absorbed the cost of the biennial review settlements and can see, having done so, that the overall level of activity of the economy is being maintained. For that to happen there must be, as I have said, a commensurate increase in productivity, efforts must be made to diversify the economy as far as possible so as to reduce our predominant dependence on one industry as a source of income and employment, and in our approach to capital investment we must ensure that we strike a good balance between projects which generate long tern enployment and earnings from outside and those which do not. On the other hand, the Budget is not a pessinistic one in spite of a good many contraindications - world inflation which, though falling, is still high by the standards of the 1950s and 1960s; international trade and production struggling to pull out of the recession, a depressed tourist industry mainly as a result of declining real incomes and high unemployment in Britain; when Her Majesty's Government intends to curtail severely low priority public expenditure in spite of these factors, the underlying assumption of today's Budget is that there will in fact be little change in the overall level of activity in Gibraltar's donestic economy during 1976-77.

The House has heard ne out with great patience, and for that I wish to express ny appreciation, but I cannot resume ny seat without saying one thing more and whatever view Honourable Members may take of what I have said in this Statement, they will, I hope, feel able to agree with me in this.

As Honourable Members opposite who have held office in an Administration will know from their own experience, but many others do not, a Budget does not put itself together. Its preparation is the result of concerted and sustained hard work and effort by a great number of the Government's servants of all grades. Moreover, it is demanding and meticulous work whether it be in doing the arithmetic or in typing the results. To all those who have been involved I should like to express publicly my thanks and appreciation for their effort.

Sir, I beg to move.

MR SPEAKER:

We will now go into Connittee and we will recess until this afternoon at 3 o'clock so that Honourable Members in the Opposition can have an opportunity....

HON M D XIBERRAS:

Mr Speaker, there is a point, ny usual point of procedure on this. I an grateful for the efforts of the Government to neet ny point regarding the Estimates of Expenditure and the Estimates of Revenue being taken together. Half way houses, in this respect can be less accommodating to the needs of the Opposition than going the whole hog on the matter. What I mean by that is particularly in this Budget, and with particular reference to the great distorting effect which is going to be felt throughout every Head of Expenditure as the Financial and Development Secretary has said, it would have been of benefit, not only to the Opposition, who have their own kind of responsibility quite distinct from that of the Government....

1

MR SPEAKER:

I do not want to interrupt, but most either make a speech, or

HON M D XIBERRAS:

It would have been better, Mr Speaker

MR SPEAKER:

I am asking you, what are you trying to achieve, otherwise you are not entitled to do what you are doing.

HON M D XIBERRAS:

I an trying to cut, as far as it is possible to cut the work of this House, in consideration of the Estinates of Expenditure, and I would hate, Mr Speaker, to have to go through every Head of Revenue and say, ad nausean, that the estimates for each Head does not represent accurately what the Government is likely to spend, or what the Government has in fact almost spent in each particular Head. Therefore, what I an bringing to the notice of the House is that the distorting effect of the non-settlement of the wages review.....

MR SPEAKER:

No, no, we must not have that. I must bring you to order. If you are bringing up a point of order or a procedural matter please tell me which it is, otherwise you are not entitled to say anything.

HON M D XIBERRAS:

I have already made the point, Mr Speaker.

MR SPEAKER:

I know, I have been very liberal.

HON M D XIBERRAS:

The point is, quite clearly, that either we discuss this particular matter of the distorting effect in each of the Heads of Revenue, or we discuss it once and for all before the Heads of Revenue are taken.

MR SPEAKER:

Then it is for me to decide whether the House is free to do what you ask at this particular stage.

I think I an right that it is Standing Order 44 which regulates procedure for Estinates Tine, and under these Orders all votes entailing expenditure from public revenue for which the sanction of the House is necessary shall first be submitted to and considered and noted in a Committee of the whole House. Therefore, the procedure that we have followed is that the nover has noved that the Estimates be approved and then we go into Committee in accordance with Standing Order 44(1). We have to consider the Estimates. I an not entitled to propose the question, if Honourable Members will look at Standing Order 44(4), until such time as the Committee has considered the Estimates, Head by Head.

Order 44(4) reads 'on the conclusion of consideration of the Annual Estinates, or Supplementary Estinates, by the Connittee, the House shall resume without question put. On the motion then being proposed that such Estinates, with or without amendments, as the case may be, be approved by the House, such motion shall open to debate and shall be voted in accordance with the procedure under Part VI' which is the part of these Orders relating to motions. Therefore, until such time as I have proposed the question, there is not a question before the House and, therefore, no debate or amendment or any other matter can be touched upon. I am prohibited by the Standing Order to propose the question until the Committee Stage has gone through and, therefore, I an afraid it is not a question of the Government's or the Opposition's wishes unless of course we suspend Standing Orders, and that is the only way that this could happen. But unless this particular Standing Order is suspended for this particular meeting to enable you to do what you wish to do, the Standing Orders do not allow for the procedure to be changed.

HON M D XIBERRAS:

I think Mr Speaker is putting words into ny nouth. I an not in fact suggesting now, in the floor of the House, that I should nove an amendment to the motion proposed by the Financial and Development Secretary that the House should go into Committee to consider the Estimates. What I an saying is that at some particular stage it is inportant to the House to consider this distorting effect which, as the Financial and Development Secretary has said, is going to make itself felt in each of the Heads of Expenditure. Now, therefore, Mr Speaker, if I may say so, the alternatives would appear to be: (1) that I ask for the suspension of Standing Orders, and I think that in this particular case the distorting effect is wide enough for me to seriously consider asking the House to suspend Standing Orders, but there is an alternative, and that is that under the first Head of Revenue we should agree now that this distorting effect will be discussed fully. Because if there is no indication that the Government and Standing Orders will allow it, then we are going to have to raise the point on each of the Heads of Revenue, which will be repetitious and no doubt boring for you and Members, Mr Speaker.

HON CHIEF MINISTER:

The Leader of the Opposition is under a complete misapprehension, I an surprised at him, having been on this side of the House. We are not going to discuss in Committee the Revenue Estimates; these are just approximations given. In fact, if the new procedure which we were thinking of about a change in the presentation of the estimates involved not disclosing the revenue results as is done in other places. You do not get that. But because this year we are following the Old Standing Orders they are there. This is not a matter which we are coming to the House to discuss; we don't come to the House to discuss the Revenue Estimates as they appear there. Those are just estimates of the Department. All we are concerned with is the expenditure. Now the expenditure estimates, whatever distortion may be created by the changes that could come about by the Scamp settlement, can be discussed ad nauseum in the debate following the committee. The House is being asked now to vote for expenditure to which it is now committed irrespective of Scanp. So, therefore, that noney, that supply, is required to run the Government and it is on those demands that members are asked to make their contributions, to see whether they will authorise the supply. And the Government will of course have to provide the sole supply if it cannot get the co-operation of the other side. But that in no way affects, because that is the minimum that Government wants, Scamp or no Scamp. The result of Scamp.....

MR SPEAKER:

Again, as I called the Leader of the Opposition's attention, what I was saying was this, that there is no agreement to be entered into now as to how we are going to proceed in Connittee. The agreement must be arrived at when the first Head is called in Connittee. The Honourable the Leader of the Opposition can then say, unless when we are in Connittee - you will realise that we are more liberal - under the first head - and I entirely agree with what the Chief Minister has said it is Estimates of Expenditure that we are then dealing with. In so far as Scamp may affect the expenditure the Leader of the Opposition can then say either we ventilate this matter under those Heads, as it affects the whole Estimates of Expenditure, or you are letting yourself in for the same thing being done Head by Head. Of course you will have to bear my ruling on repetition.

HON M D XIBERRAS:

I think, Mr Speaker, that what the Honourable and Learned the Chief Minister has failed to appreciate is that I an talking exclusively of the Estimates of Expenditure and what the departments are likely to need in the coming year. The Honourable the Financial and Development Secretary has already shown his aversion to supplementary provision and I would like to accommodate him on that point.

The point I an making now, Mr Speaker, is that because the Honourable the Financial and Development Secretary has met my point in a great part of taking the Estimates of Expenditure and the Estimates of Revenue together, and giving the House an idea of what it is letting itself in for, I think that the wide consideration which the distorting effect bring to members should be aired at some particular time.

I am not proposing any radical change such as the suspension of Standing Orders, I simply wanted the agreement of the House to discussing the distorting effect under the first Head of Revenue. Therefore, the solution which is suggested is perfectly acceptable to us provided it is acceptable to the Government as well.

MR SPEAKER:

I think I must be very clear that you have a decision to take now. Either you move for the suspension of Standing Orders, or when you come to the first Head you try your luck with Government. But I don't think you can demand an undertaking from Government now that they will abide by what you are saying.

HON M D XIBERRAS:

Mr Speaker, I think I an entitled to ask the Government whether they are prepared to discuss this at this stage or not within Standing Orders. I think that is my prerogative.

ſ

MR SPEAKER:

I think you have nisunderstood what I an trying to say. You cannot denand an undertaking from Government but you can get an undertaking from Government if Government is willing to give it. If Government is not willing to give an undertaking now, your alterantives are clear: either you suspend Standing Orders now, or try to, or you ask for that undertaking under the first Head.

HON M D XIBERRAS:

I have not, Mr Speaker, with all due respect used the word 'demand'. I an asking the Government whether they are prepared to do this or not. I think it is, with respect my perfect right to do so.

HON CHIEF MINISTER:

We cannot discuss the first Head of Revenue, this is not before the House. What is before the House is the expenditure.

MR SPEAKER:

In fairness to the Leader of the Opposition what he is saying is that Scanp nust of necessity affect the estimates of expenditure for each particular Head. Therefore, are you prepared to debate in Committee under the first Head how this is going to happen, or will we have on every Head a statement from the Opposition.

CHIEF MINISTER:

It is impossible to do it. I think the Financial and Development Secretary has mentioned, if he hasn't mentioned it five times, he hasn't mentioned it at all, the overall effect at the end. That is a matter that cannot be quantified overall, let alone how can it be quantified department by department. It is absolutely impossible. It is a very proper subject, I think, for the general debate. Each one can express the view how that is likely to affect or not on what has already been voted which in any case is absolutely mecessary to run the services.

MR SPEAKER:

The answer is that you cannot get the undertaking.

HON M D XIBERRAS:

I night as well inform the House that we would intend, until the point is absolutely made, to raise wherever it is likely to be quantifiable, we will raise it under each of the Heads, and the House will have to bear with it.

CHIEF MINISTER:

 W_c are bound to be here every day until the end of next month, if we have to do that, to overule an approach which is completely illogical and unacceptable.

HON J BOSSANO:

In the 1973 Budget I recall that the then Financial and Development Secretary was able in fact to give the House an estimate of additional costs which were then subject to negotiation. Is it that the present Financial and Development Secretary is incapable of doing the same exercise.

MR SPEAKER:

We are not going to debate whether he is or isn't now. You can ask him later.

We shall now resolve into Connittee.

The House in Committee

HR SPEAKER:

We will recess until this afternoon at 3 pm.

The Committee recessed at 12.30 pn.

The Committee resumed at 3.10 pn.

MR SPEAKER:

As has been the normal practice from year to year and on Supplementary Estimates the Clerk will call the Head and then the Subhead - Personal Emoluments and Other Charges, and on the bigger Heads we might call the sub-paragraphs. I will then wait to see whether there are any questions on the different items in each Head.

Head 1 - Audit - (a) Personal Encluments.

HON M D XIBERRAS;

Mr Speaker, does the Government propose to make a statement under this Head of Expenditure?

HON FINANCIAL & DEVELOPMENT SECRETARY:

Mr Speaker, Sir, I referred in my Budget statement this norming to hunches, and any statement on the lines that the Honourable the Leader of the Opposition is now seeking must be in the nature of a hunch. It cannot be an estimate because an estimate is based on a computation or calculation of known facts, and their implications, and as I explained this morning in relation to the costs of the on going Scamp award this is simply not possible. Having said that all I can do, for the guidance of the House in considering the estimates which are before us, and which are based and which indeed require an appropriation to enable, as the Chief Minister so rightly pointed out this morning, the services of the Government to continue as they are now, they reflect

the estimated costs of carrying on those services as they are now. But for the guidance of the House I will give a little bit nore information. I am going to talk in terms of order of magnitude.

Now, once the Scamp negotiations are finalised, and the final settlement of all grades is reached, there is, as the House well knows of course, elements of retrospection in whatever figures are finally agreed. Now, therefore, in gross terms, including those elements of retrospections and including what it is likely to cost the Government in the course of 1976, our hunch as to orders of the magnitude is that the gross cost might be of the order of £2.7n. Now of course as the House again knows, with PAYE, tax on the increased levels of wages and salaries flows back immediately, and we think, again as an order of magnitude and including some really quite blatant guessing as to what might happen on the yields from indirect taxation through increased purchases etc, we think that of that £2.7n there will be an acretion to revenue of about £1m.

Sir, in addition to that of course, and I said it, a final and complete settlement, there would be the settlement presumably of non-Government employees, in respect of whom again the income tax procedures would be operating. And we think there probably that the revenue as a whole would probably benefit to the tune of, we think, somewhere of the order of $\pounds 3/400,000$.

That means, therefore, if we take now the estimates in front of us in relation to 1976-77 in isolation, in isolation, and only applying, and this assumes of course that an award had already been made, if we can put it that way, at the end of this year, we think that the gross cost of the awards might be, applied to 1976, something of the Order of £1.3m. And this is 1976-77 in isolation. Of which the revenue would probably benefit to the tune of something of the order of £800,000 of everything.

I beg your pardon that is wrong, I beg your pardon, Mr Speaker, I must correct that. Let me say again that the gross cost - this is why it is so difficult in the circumstances to make meaningful figures the gross cost applied to 1976-77, in isolation: the order of magnitude might be of the order of £1.3m gross.

HON M D XIBERRAS:

Mr Speaker, if the Honourable Member will give way, this is a fundamental figure. He started off by saying that the gross cost would be £2.7n.

HON FINANCIAL & DEVELOPMENT SECRETARY:

I made it clear, Mr Speaker, that included the element of retrospection. All retrospection. That is why I said that we mustn't forget that if the settlement took place tomorrow the cost is thrown back to October 1974, the revenue to March 1975. So that on that basis, if the settlement were to take place tomorrow and we had to find the money, all in one big sack, shall we say, it would be gross £2.7m. Is that clear to the Opposition?

HON M D XIBERRAS:

Yes, I have got the picture now, Mr Speaker. It is £2.7n including retrospection and including the connitnents of the Government for the coming year.

HON FINANCIAL & DEVELOPMENT SECRETARY:

That is quite correct.

HON M D XIBERRAS:

From PAYE and other sources of revenue there will be £1m as a result of these payments, the forecast results, going all the way back. Of these we would have then £1.7m net for the whole period, including the period of retrospection. Then there would be something in the order of £300,000 to £400,000 which could be expected as coming back to the Government on this £1.7n which I have mentioned. That would leave £1.3n....

ſ

S. L.S. Van .

MR SPEAKER:

The £300,000 to £400,000 is in fact the PAYE from private employers.

HON M D XIBERRAS: • A proton previous that the proton sector is an experimentation of the sector is a sector of the sector proton of the sector proton of the sector of the

MOD/DOE?

MR SPEAKER:

May I as Chairman try and clear this one up. The cost of Scamp with retrospections will be £2,700,000 gross. The reinbursement from PAYE from Government will be fin and the intake of PAYE from private enployers will be between £300,000 and £400,000.

HON FINANCIAL & DEVELOPMENT SECRETARY:

That is right, DOE and MOD.

MR SPEAKER: The Official Employers. Therefore, the net cost would be £1,350,000.

HON FINANCIAL & DEVELOPMENT SECRETARY:

I would prefer not to have any £50,000 around, Mr Speaker. We are talking in very very global orders of magnitude, and as the Hon the Leader of the Opposition has said that taking both Government and the MOD, including retrospection, all retrospection, and bearing in mind that the first six months of that retrospection does not attract any tax, then the net overall cost comes out, in our hunch, at something of the order of £1.3n.

Now,, can I go on perhaps with 1976/77 which is the current year, and stressing once again that we are talking now in terms of complete isolation, just the year as a whole. Our hunch is that the gross

figure for the Government side of the employment section is of the order of around £1.3m. But since these increases will attract tax, and since there must be some marginal effect on indirect taxation, perhaps the accretions to revenue as a result of that gross figure would be of the order of . . .

MR SPEAKER:

£800,000?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, that is where I was wrong and that is what I wanted to correct when I was stopped. The accretion to Government would be of the order of £500,000, giving a net of about £800,000. Now on the MOD/DOE side, again we are talking in terms of 1976/77, in isolation. The accretion to revenue might be something of the order of £300,000. So, therefore, the net cost to be borne on the budget for 1976/77, in isolation, might be something of the order of £100,000. So, therefore, the net cost to be borne on the budget for 1976/77, in isolation, might be something of the order of £100. And that, Mr Speaker, is roughly what the estimated surplus of the year's working on the estimates now before members come to. In other words, Mr Speaker, taken in isolation, 1976/77: the surplus that we are budgetting for here, roughly, in broad terms, is equal to the isolated net cost in 1976/77 of the Scamp Award.

HON M D XIBERRAS:

Mr Speaker, I think the House has just heard the budget speech.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, may I be permitted. I don't often interject. May I just simply say that the Honourable the Leader of the Opposition disappoints me. The Budget speech was the economic side, not the figuring side.

HON M D XIBERRAS:

I was just about to compliment the Honourable the Financial and Development Secretary on the hard work that he put into the preparation of his statement, which I have here, but I stick to my comments, despite the Hon Member's disappointment, that we have just heard the Budget speech.

Mr Speaker, if I may be allowed one brief comment of a general nature at this point before I ask the Financial and Development Secretary a question on the Audit.

MR SPEAKER:

May I, and before you go any further, so that we know where we stand ask since you made a certain statement before the recess, whether the explanation given by the Financial and Development Secretary has been to your satisfaction to the extent that you intend to deal with it now, and that it will not be part and parcel of each Head that we are going to discuss, so that I can be more liberal to you now. Otherwise one would...... you follow what I an trying to say?

ſ

1

HON M D XIBERRAS:

Mr ^Speaker, I feel that the Honourable Menbers statement made just now will help the people of Gibraltar to see exactly what the financial position is. What the effect of this statement might be on the different Heads of Revenue is another matter. And it is a matter which can either be discussed now in general terms or one which can be discussed under individual Heads. I am quite easy about discussing it, but one thing I will say is that the figures before the House, especially in the light of the statement made, do not reflect the reality of the situation as it is going to be in 1976/77.

MR SPEAKER:

That of course, may I say, because I want to be very clear before we start, will be the subject matter of debate when we return to the House.

HON M D XIBERRAS:

Yes, Mr Speaker, except insofar as the Financial and Development Secretary's statement as made now might affect page 4 of the estimates, which sets out the general financial position, and might affect individual Heads of Expenditure. If I may be allowed an example, Mr Speaker, we are not talking purely about the personal emoluments side of each Head of Expenditure, we are talking about the effect and any increase of the order of magnitude which the Hon the Financial and Development Secretary has made clear to the House is likely or even accepting his work as a hunch, will have on the other charges under each Head of Expenditure.

MR SPEAKER:

Not on other charges, on the economy of Gibraltar,

Mr Speaker, when one is budgetting whether to build a wall or not in 1976....

MR SPEAKER:

But we are not discussing here whether we are going to build a wall or not, we are discussing.....

HON M D XIBERRAS:

No, I know that, what I am saying is that the effect of what the Hon Financial and Development Secretary has said is that there are, as everybody knows, going to be increases under each section of personal encluments under each Head. Now, the increased cost of labour is going to be a very important factor in the Government's estimating of the cost of any works which is entertained for the coming year, and, therefore, each Head of Expenditure is going to be thrown out of balance by a considerable amount. The point at issue here is whether the figures before the House represent what the Government intends to spend in the coming year or not?

MR SPEAKER:

No, with due respect, that is not what we are doing now. That perhaps is what we will do in the debate What we are doing now is considering whether we will authorise the particular expenditure for each particular iten which are in the Estimates, not what the Government should or should

not have put in these Estimates. That is a matter for the debate. What we are doing in Committee now is we are going through each item and deciding whether the particular amount which is required for a particular item should be voted or not. That is what we are doing now.

HON M D XIBERRAS:

Mr Speaker, I an absolutely easy about the way the House tackles this. What I an saying is, if I may illustrate by another example, coming to Audit, I would ask the Financial and Development Secretary how much the Principal Auditor is due to get under the Morgan Report?

MR SPEAKER:

It is not here, you would not be allowed to do that.

Mr Speaker, then I would ask how much the Auditor would get, or the Senior Clerical Officer would get, or what the Clerical Officer would get.

MR SPEAKER:

No, you would be entitled to question the amount which is placed against his name, and if there is no amount then that is the end of the matter.

HON M D XIBERRAS:

I would question the amount, Mr Speaker, on the grounds that the Government has made an offer below which it is unrealistic to think that any of these persons would accept.

MR SPEAKER:

No, with due respect to you, no money has been asked to be voted for this particular purpose.

HON M D XIBERRAS:

Mr Speaker, it has been the practice in previous meetings to either set out a lunp sum to cover any wage increases which are coming, and this the House can verify for itself, or to give an indication to the House as to how much money must be put into the Consolidated Fund in order to guard against the eventuality of having to make such a payment. Now, the Government on this occasion has done meither. Therefore, under this particular Head of Expenditure, the figures can be questioned.

MR SPEAKER:

I will have to decide at any particular given moment whether a particular question is admissible or not. It is as simple as that. But you are entitled now to reply to the figures, and all I wanted to know when you started to reply is whether you were going to do it now or whether you would rather do it Head by Head, so that we will not have repetition.

HON M D XIBERRAS:

I would favour a fairly general debate at this point, Mr Speaker, and the inplications of this would no doubt have to be applied to the various Heads of Revenue.

MR SPEAKER:

3

Well, you go ahead and we shall see what happens.

A. LERN AND DEPARTS OF BEA. AND MEDICAL

HON FINANCIAL & DEVELOPMENT SECRETARY:

Mr Speaker, Sir, the Government, as I said in my budget speech, has come to the House, as it is obliged to do, to ask for an annual supply. All it is asking for at this moment is what is set out in the estimates before the House: we are not asking for any more. Therefore, to suggest that we now put in under each Head of Expenditure a series of hunches is in my view, or could be so interpreted in my view, as misleading the House. We don't know what we want, so we are not asking for it. We are asking for a supply on the basis of the figures herein stated. na in sain ann a suin ann a Sain ann brann 1 an suir ann

MR SPEAKER:

I am not prepared to start a debate now as to how the estimates should have been presented or what the Government should include in the Estinates of Expenditure. All I an prepared to listen now, and that is that I have been trying to get across to the Leader of the Opposition is, that we will go through the Heads and they are entitled to make enquiry on the matters included in the Heads of Expenditure and nothing else.

HON CHIEF MINISTER:

I think I ought to make a general statement here because otherwise se are going to have a continuous series of objections.

Now, I think it was dong, if it was not last year it was the year before, where we had some pending claims, and there was I remember something like £350,000 - I think it was in last year's Estimates, the Interin Award had not been made and we could not say what it was going to be. The Government has stated publicly that it is prepared and is in fact carrying out negotiations, having accepted the principles of the Scamp Report. These because of the difficulties of the concept of analogues and comparison and bandings and so on, are the subject of detailed negotiations between the enployers and the associations and unions and so on. While these are going on it would be not only inproper but falacious to put down what the Auditor is going to get if nobody has yet decided what he should get because it has not been negotiated. Anything that is put here in respect of the Auditor, or of the Messenger or the Postnan is prejudging the situation, and it would put either the Government or the other side in a situation where a certain amount of money has been voted and then the Government would have to go to the Association and say: I an sorry, we have voted this and this is all we can give you. Now, because the negotiations are ongoing we know there is a commitment. The Financial

and Development Secretary has given an estimate of the order of magnitude of the commitment and how it is proposed that this is ready. What is in every Head of Expenditure here is the commitments now, plus the Cost of Living Award, plus the Interin Award; all the commitments that the Government has legally got now. What will come out of the wash - in Scanp - there was a remark this norning whether there would not be enough with I don't know how many millions - is a matter to be seen, and, therefore, how fair would one be to that kind of thinking if we were to put now the way we would like it and not the way they would like it. So this is really, if I may so, trying to make mountains out of molehills. There is here the amount of money that the Government requires to carry on its services after the 1st of April. We hope, as the Financial and Development Secretary has said, that the Scamp recommendations can be implemented soon. If they cannot be implemented soon the Government must carry on paying its people on the present charges, on present salaries, and carrying on the commitment, at the same time knowing at the back of their minds that there must be money to meet the Scamp Award. If in the end the Scamp Award wore such that no kind of inagination would have though of, that Morgan is going to be the JIC formula, and the top boys are going to get the bandings of the JIC, then of course £2n may not be enough for that. Therefore what is the use of putting down something when it comes to the Postmen when in fact we would have to give what we would give to the Auditor. So really it is absolute nonsense and he cannot think of anything more to try and confuse the people, perhaps because we have not introduced any new measure of taxation.

4

1

4

HON M D XIBERRAS:

Mr Speaker, I would refer the Honourable and Learned the Chief Minister to certain renerks nade about the nature of this sort of meeting by the Honourable the Financial and Development Secretary, where he said that this was the occasion where the Opposition reviewed the policy of the Government. So we are not talking about an abstract set of figures, we are talking about the real economic situation of Gibraltar. Now, when the Honourable the Chief Minister said: what is the use of giving a whole set of figures, I would put it to him that in fact there is great use in at least knowing what the quantification of the Government offer, which is now currently on the table with the Unions, is going to be. And that is the least conmitment of the Government in the coming year. Therefore, Mr Speaker, even though....

MR SPEAKER:

We are not going to debate. No, I an saying, no, definitely. We have had half an hour of this one and we are debating now the financial position of Gibraltar. I an calling an end to this, and I an going to tell the Clerk to call the first Head.

HON P J ISOLA:

Mr Speaker, is it right to assume that what we are being asked to vote is not in fact the expected.....

MR SPEAKER:

Don't ask me, when the Head is called you can ask the gentlemen opposite.

HON J BOSSANO:

I think, Mr Speaker, that the Government does not anticipate it will be able to employ any officer for a full year on the amounts that the House is being asked to vote.

MR SPEAKER:

Let us call the Head and find out.

We are now at Head 1. Audit. Personal Encluments, at page 15 of the Estimates.

HON M D XIBERRAS:

Mr Speaker, may I repeat my question: how much is the Principal Auditor being offered, or how much has the Government have in mind to pay the Principal Auditor in the coming year? How much has Government in mind to pay the Senior Auditor in the coming year? And this could go on to the Stenographer which is....

where the set is ball only prop-

MR SPEAKER:

Lets wait until you get to the Stenographer and then you can ask.

HON M D XIBERRAS:

Yes, Mr Speaker.

HON FINANCIAL & DEVELOPMENT SECRETARY:

As of now, Mr Chairman, the Principal Auditor, the Government expects to pay under the Consolidated Fund, it is a legal charge, the Principal Auditor, £3480. As of now the Government expects to pay the remainder the Audit staff in accordance with the figures set out at page 15.

Mr Speaker, would the Honourable the Financial and Development Secretary not consider the recommendations of Morgan in this respect to be relevant to the vote, and could he indicate to the House where in the Morgan Report the Principal Auditor's salary is dealt with, if anywhere?

1

4

5

HON FINANCIAL & DEVELOPMENT SECRETARY:

The Morgan Report is under consideration as has been stated in the House and that is all I can say.

HON M D XIBERRAS:

Mr Speaker, I an asking him for known information; I am asking him to tell the House in fact how much the Morgan Report recommends for the Principal Auditor, I an not asking him for a moment to say whether he has committed himself in a decision of final policy to pay him this in the coming year or not.

HON FINANCIAL & DEVELOPMENT SECRETARY:

I am sorry, Mr Chairman, but I did not bring my copy of Morgan. I was not expecting to be asked, but if he has got a copy there I can look at that as well as he can. devices, say I repart to supplifying has maining

when the second second second

sprintfaired, on he sough and the Severality

HON J BOSSANO:

May I ask the Honourable the Financial and Development Secretary whether he expects these officers to work through 1976-77 for the sums of money detailed in this vote.

HON FINANCIAL & DEVELOPMENT SECRETARY:

Yes, Sir.

HON M D XIBERRAS:

Has the Honourable the Financial and Development Secretary by any chance available to him the implications of the Scamp Report for Senior Clericals?

MR SPEAKER:

No, no, that is out of order.

HON J BOSSANO:

D

Mr Speaker, is the House expected then to vote on a sum of money which we are told will enable us to employ a Senior Clerical Officer, when in fact the Government knows full well that it will not be able to employ a Senior Clerical Officer?

MR SPEAKER:

That should influence your vote when we come to it; That seems to be the implication.

HON M D XIBERRAS:

There are no industrials I take it in the Audit Department?

MR SPEAKER:

You are not entitled to question here and now the emoluments of the officers, what you are entitled to question is whether this amount of money should be voted for that purpose. No more and no less.

HON M D XIBERRAS:

Mr Speaker, may I point out that even within the limitations brought upon the Government by their not too realistic policy over wages generally, may I point out that none the less the Government has made certain very serious statements in respect of wages.

MR SPEAKER:

No, no. You can ask questions on the items in this Head.

HON M D XIBERRAS:

Mr Speaker, what I am trying to find out is whether this sum is in fact enough.

MR SPEAKER:

What sun?

The total sum under Audit - $\pounds 17,742$. What I am asking the Government is, in view of very serious and very considered statements on wages, and the fact that obviously everybody knows that some increase is due, whether these sums are enough in the opinion of the Government to continue without coming to the House for supplementary provision which they cannot anticipate now, or without making any separate global provision for the cost of these wage reviews. I don't think that they will have enough money.

1

1

3

á

1

MR SPEAKER:

That is a fair question which can be answered,

HON FINANCIAL & DEVELOPMENT SECRETARY:

Mr Chairman, Sir, the way this debate in Committee is developing frankly astonishes me. Yes, astonishes me because it suggests to me..... (interruption) would you like to make a statement.....

MR SPEAKER:

Order, order. We will not speak across the House. I will be very strict on this one. I an not going to have people speaking across the House under any circumstances. I will not allow this debate to degenerate in any manner or form.

HON FINANCIA & DEVELOPMENT SECRETARY:

What we are asking the House is for a supply for the Audit Department for the coming year on the basis of facts which we know now. I have never suggested, neither has the Chief Minister, for one moment that we shall not, as indeed we must, come back to this House for a supplementary supply when we know what the final settlement is and can calculate how it will affect the people shown in the Audit Department. We are simply saying that as from the 1st April this is the supply which we must have in order to continue to employ the people who are now in post, and to whom we have an absolute commitment to continue them in post for the moment at the salaries set out in the Head,

HON M D XIBERRAS:

Mr Speaker, I would refer the Honourable Financial and Devolopment Secretary to the very first sentence in his statement.

MR SPEAKER:

No, we are not going to discuss the statement. Well, read the statement.

HON M D XIBERRAS:

It says "In times of normality a presentation of the Budget is probably the single most important event in the Parliament calendar".

MR SPEAKER:

So what?

HON M D XIBERRAS:

So we are entitled at this meeting of the House to try to elucidate exactly what the people of Gibraltar are in for economically in the coming year.

MR SPEAKER:

Not at the Committee Stage and that is where we are going at cross purposes and I am going to be really strict from now on. That you will be able to do when we resume.

a to ad at a winter be

HON M D XIBERRAS:

Mr Speaker, it is only a half truth to say that what we are discussing now is how much it is necessary to keep these people in post for the coming year.

MR SPEAKER:

No, I an only interested in one thing, and I an going to be very strict from now on. You are being asked to vote this particular amount in this particular Head for the time being. You can say you do agree with them, you can say you do not agree with them. You cannot under the guise of disagreeing with them try and debate the whole financial and economic position of Gibraltar, or whether more monies are going to be needed later on for whatever reason. Reasons which are known now due to Scamp or which may arise at a later stage and which may entitle Government to bring a supplementary estimate. You will be able to do that later on.

Yes indeed, but at the noment we are debating a fiction. We are going into a set of figures which mean absolutely nothing, and every single person in every Government Department knows that this is a fiction. It is a set of figures, a mere reproduction of the figures of last year, and has nothing to do with the coming year or the expectation of the people of Gibraltar in the coming year.

ŧ.

ſ.

HON CHIEF MINISTER:

Mr Speaker, if the Government requires now to fill the post of Stenographer, or Postman, or Messenger, or Clerk it advertises. And if you look at the advertisement you will find that salary which is offered is the same as appears in these pages: in addition it says that COLA and Interin Awards are payable. On that basis people are employed and people know that there is a Scamp Award being studied which they take into account. At lunchtime I went to get my car and there was somebody there with a lovely new car: he said: "When is the money going to come from Scamp, I have got to pay for this. I thought I was going to get it last month." This is a real expectation in terms of realities in Gibraltar, that there is Scamp and it has got to be paid for.

Exactly the same situation arose at this time last year. The whole of the Estimates last year were based on current trends and we had all been committed to a review. This is, if I may say so, in my view - it is a matter for you - an abuse of the procedures of this House to try and keep us here in a fictional debate on matters on which we do not know the final outcome. The Financial and Development Secretary has worked hard over lunch in order to produce the figures that he has given of the order of play, and of the order of magnitude or what is likely to be. We will have to come to that and if there is anything else that happens, if there is a disaster here or something that cannot be foreseen, the House is invited to provide additional funds.

The Government has got a duty, come the 1st of April, to have this House authorise a supply to keep people paid on certain salaries, well knowing that when the final arrangements are made Scamp will be paid with retrospection; not from the 1st April of this year, but from the 1st October, 1974.

No more answers can be given in any of the Heads beyond this one and my submission is that I will deem any other questions to have been answered, if they are all an attempt of delaying this debate in order to score points to make up for the fact that they cannot accuse us of putting new taxation.

May I ask the Honourable the Chief Minister just one question on what he has said. May I ask him whether he expects, as Chief Minister of Gibraltar, and looking ahead to the coming year, or the three months which he has left of office, can I ask the Honourable and Learned the Chief Minister whether he feels that if the Scamp Report, let us say, for industrials and non-industrials at the lower grades only, not leaving aside the Morgan Report, were to be implemented, the back money paid and the new rate as offered by the Government as at present tabled to the Union were to be introduced, whether he would not admit that there would be a variation in the figures under all Heads in respect of personal emoluments, but also that there would be a variation in the figures proposed for other charges under each Head in which there was anything in the nature of capital works. I an asking him as Chief Minister of Gibraltar, who is supposed to make prudent provision for the coming year.

MR SPEAKER:

May I say something, and I am warning now because I do not want to be accused of curtailing debate. I will not bear repetition in the general debate on this point if it goes on like this. You can chose whether you are going to have your say now or later on, but I an not going to have it twice because it is out of order now. If you are going to take advantage of liberality in Committee, you can do so, but the penalty will be that under the repetition rule I will not allow it in the general debate. We can go on for a few more minutes on this one and then I will put the Head to the vote. You can take your choice but I an giving a warning on this.

HON CHIEF MINISTER:

Mr Speaker, when Scamp is finally decided of course all the adjustments will have to be made in the case of personal encluments and in the case of other charges. It depends at which stage settlement is reached whether it will have to be itemised or whether it will be shown as a lump sum for work which has already been done. This is nothing new, this has been done before when there has been an award in retrospection.

Now, we do feel that we have, having regard to the order of magnitude we are committed to, and this has been explained very clearly, we feel that we are making sufficient provision. And in any case at this stage we are only dealing with expenditure so we can give the assurance that according to our estimates, according to the extent to which the Financial and Development Secretary has indicated, we have made sufficient provision to pay a reasonable settlement award which the Government is desirous to carry out in order to meet its responsibilities. If the thing were of such an order that it was not then we would come here and say that the money was not enough and we needed further suns; we did not have that money and we would impose such and such a tax. But that has not happended, and if we did the opposite, and if we tried to impose taxation now, they would say: "Before giving a penny to the worker, before giving a penny to anybody, you are already taxing us in order not to give us what we are asking for. We have allowed ourselves a situation now where the people who are negotiating these matters at all levels have got the reasonable freedom of saying that they are free from any pressures in negotiating, having regard to the interpretation given as to the differences that there might be of Scamp, and that there are no financial considerations other than Scamp and the situation as we see it now, and no more.

1

1

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

Other Charges was agreed to and passed.

Head 2 - Cemeteries. Personal Emoluments was agreed to and passed.

Other Charges.

HON W M ISOLA:

On the upkeep of ceneteries, it says here: provides for resurfacing of footpaths. Can the Honourable the Financial and Development Secretary give us a little more information on this since the public would like to know a little more on what the Government intends to do there.

HON LT COL J L HOARE:

Mr Speaker, we did about a third of the cenetery, spending some £1,200 resurfacing the paths of the Cenetery using funds which had been specially allotted under another Head - Head XII - Public Works. This year I have decided that the proper place to finish the resurfacing should be under Head 2, Ceneteries, and therefore the additional provision of £2,000 is for this purpose, the continuing of the resurfacing of all the paths of the Cenetery. In addition it covers the rehabilitation of the Staff Storeroon and the Staff Locker Roon, in the same way as last year's expenditure included the rehabilitation of the toilets and the roof of the entrance.

HON W M ISOLA:

Mr Speaker, I an grateful to the Minister for this information. As I see it here the £2,000 provides basically for the resurfacing of footpaths. If I heard him correctly, and if I did not I apologise because there is some noise on the other side, he talked about locker rooms and toilets. What has that to do with the resurfacing of footpaths in the Cemetery?

HON LT COL J L HOARE:

Mr Speaker, the footnote there is provided to account for the difference of £2,000. The other rehabilitation takes place as a matter of course and is included in the normal maintenance figure: "Upkeep of Cemeteries".

HON W M ISOLA:

D

I an much obliged.

HON MISS C ANES:

Can the Minister clarify the on-call allowance?

MR SPEAKER:

This is not on the inhabitants of ceneteries, I hope!!

HON LT COL J L HOARE:

Mr Speaker, this of course comes under personal emoluments which we have already dealt with, but I will be only too delighted to give this information. The Cemetery Keeper, who lives on the premises, in addition to his basic salary, gets overtime, because his salary is based on a 40-hour week, he gets an on-call allowance of £70 because he has to be there 7 days a week, at all hours, and, therefore he, is liable to be called at any time after 5 o'clock up to 10 o'clock at night to arrange for a burial the next day. After 10 o'clock at night no order is accepted for burial for the next day, but for the following day.

Other Charges were agreed to and passed.

Head 3, Consumer Protection Unit - Personal Encluments.

HON A J CANEPA:

I would just like to explain that the additional post of Clerical Officer is only an additional post in figurative terms really, because the holder of this post was previously under Revenue. He is required for the issuing of imports and exports licences and now instead of the Revenue Department being responsible for that, rather more properly it comes under the Consumer Protection Unit. It is only an apparent increase of post in the sense that there ought to be a decrease under Revenue offsetting it. Head 3, personal emoluments was agreed to and passed.

Other Charges was agreed to and passed,

Head 4 - Education Personal Enoluments,

HON M K FEATHERSTONE:

Sir, on the question of personal encluments there is not very much change from last year. The main changes taking part in the Laboratory Technicians. We have two in post and two in training. There was a regretable error last year in the post of responsibility: we overcalculated a considerable sum and that is why it appears that this year there is a decrease in this. It is not really a decrease in the actual number of responsibility posts, it is simply that last year we overestimated the amount of money required. And we are also increasing the....

(

0

HON L DEVINCENZI:

Would he be so kind as to refer to the iten when mentioning anything so that I can go to it.

HON M K FEATHERSTONE:

Yes, Sir, Iten 29. And we are also increasing Iten 31, the School Secretarial Service by two extra Secretaries. I think those are the main points in the personal emoluments, Sir.

HON DEVINCENZI:

Mr Speaker, could the Minister very quickly tell me on Item 16 - School Matron - whether this is for the Handicapped Children?

HON M K FEATHERSTONE:

Yes, that is the person in charge of the Handicapped Children's School at the moment.

HON L DEVINCENZI:

Iten 19, Teachers. We have the same amount of teachers as last year: could the Minister say whether there has been any increase at all in the school population?

D

Nothing significant. There are changes of course every year but not significant changes in the school populations

HON L DEVINCENZI:

Mr Speaker, following on that one, and I forget what the answer was last year if it was given at all. What is the present pupil to teacher ratio in the three different categories of schools.

HON M K FEATHERSTONE:

I thought we night get that one. During the year we had discussions with the Headteachers on this question and we have target ratios which we are trying to work to. In the First Schools it will be one teacher to every 25 pupils: this is not including the Headteachers; in the Middle Schools one teacher to every 22; in the Comprehensive 1 to every 20 in the first four years, and 1 to every 10 in the fifth and sixth years, plus an allowance of three extra teachers, and then a 5% float of the total there and two extra teachers for remedial. At the moment in the Comprehensive we are slightly higher than the agreed ratios and we are coming down to the agreed ratios by wastage.

HON L DEVINCENZI:

Iten 23, Mr Speaker, There has been an increase in the money allocated for 1976/77 for Supply Teachers. Can the Minister say how many of these are what one would call steady Supply Teachers, and how many are truly just on supply on occasional times?

HON M K FEATHERSTONE:

Yes, Sir, perhaps it might be useful to go back to Item 19 which says 248 teachers and give you the breakdown of how those teachers are made up. There are 163 Qualified Teachers who are permanent and pensionable; there are 30 Experienced Teachers who are permanent and pensionable; there are 21 full time Qualified non-established teachers; 23 full-time Unqualified non-established teachers; and there are 11 part-time/fulltime. When I say part-time/full-time it means that they work perhaps half a day but they do it the whole of the year around. So they are full time in their actual turning up to work, but they only do it for part of the day. They are usually Qualified and they are on a full year basis. They take in the full-time qualified, the full-time unqualified, and the 11 part-time, who used to be called Supply Teachers. We have removed that word completely. The Supply Teachers who are mentioned in Item 23 are pure supply, they are teachers who come in at short periods, perhaps for three weeks or four weeks while a teacher is away on illness, or sick leave, or maternity leave, and based on last year's experience we found that we had not calculated sufficient for them. Therefore, we have increased the amount this year. But they are pure supply teachers. The numbers I cannot say how many there are, because it may be the same teacher will come on three different occasions during the year.

HON L DEVINCENZI:

Mr Speaker, judging by the explanation that has been offered by the Government in defence of why they are not doing something, the full-time/part-time explanation is not a bad one.

Now, Iten 29. The Minister has already in fact explained why this is the case and of course this is acceptable. It is a pity it is not left like that, but one can understand. If one were to know about the true nature of the estimates, Mr Speaker, or some inclination, one Perhaps could stand up now and ask whether perhaps one could increase this considerably. But one is handicapped in asking that sort of question because one does not know quite what the cost is going to be.

1

Again, Mr Speaker, on Iten 31, which I had a note here, the Minister has already done his honework. Good for hin.

Mr Speaker I did have some notes on the increases from the original estimate to the revisedestimate, and also from the revised estimate to the estimate for 1976/77, but I am afraid, Mr Speaker, that really they are not worth the while looking at because one knows full well that the increases shown here are absolutely useless, because we know that what it says here is not what is going to happen. So I an afraid that on personal encluments there is nothing else for me to say.

HON J BOSSANO:

Mr Speaker, could I just ask the Minister for an explanation of the increases in the Cost of Living under Biennial Review at the end of the page?

HON M K FEATHERSTONE:

Yes, Sir, these are based on 305 persons. I think last year we based it on a lesser number of persons. Although we have altogether 320 persons in post, some of them are only in for half a year, some for a third of a year, and we have based it this year on 305 persons in post, which is nearer to the figures that come out of last year.

Mr Speaker, last year round this time we had a debate about staff generally in the Education Department and the Minister has not said anything about the general situation of the teaching profession. Perhaps this is due to the fact that the teaching profession is no longer always making noises - page 177 of Hansard for last year's budget debate. Now, would the Minister give the House an indication of what the relationship is between the Minister and the staff generally?

HON M K FEATHERSTONE:

Sir, with my natural modesty it is rather difficult for me to say so, but there have been changes in the GTA this year. I don't know whether it is the change in the President of the GTA, or what it is, but relationship with the staff has been very good this year. We are working quite well together.

HON M D XIBERRAS:

I an very glad to hear that, Mr Speaker, because it wasn't so this time last year, when we had a bit of a demonstration the Honourable Member almost called the Teachers liars. But, Mr Speaker, bearing in mind what the Minister has said about good Minister/Staff relationship, would the Honourable Member give the House an indication of any policy change in regards to staff which he might be discussing or might have agreed already with the Teachers Association?

HON M D FEATHERSTONE:

I am not quite sure that I know what you mean by policy with regards to staff. Our policy remains basically the same, to get as many Qualified Teachers as possible. We are slowly working towards that in the Gibraltar and Dockyard Technical College. The policy there, of course, is also to Gibraltarianise, and this year there is one more Gibraltarian teacher there than last year.

We also have for your information the breakdown of Graduate and non-Graduate teachers. 66.5% are Qualified Teachers now, of which 20% of the whole total are Graduates; 50% are Qualified 28% are Unqualified, and the intention of course is to get as many Qualified as possible.

HON M D XIBERRAS:

Have negotiations on Scamp now reached a conclusion in the Education Department?

First hand knowledge I don't know, but I have been told that the Teachers have come to an agreement now.

HON M D XIBERRAS:

To the Minister's knowledge then, has any change taken place in general Government policy towards the staffing of the schools in relation to the relative position of Experienced Teachers and Qualified Teachers?

1

4

HON M K FEATHERSTONE:

I think the Teachers Union made very strong claims that they should follow the UK system - the Burnham Scales etc - and I believe that basically this is what is being done. I think that this means that there are either Qualified Teachers as such or Unqualified Teachers, and I believe the people who were classed as Experienced Teachers are now being classified as Unqualified but they are getting a special allowance to cover the number of years of service they have done, and of course they will be permanent and pensionable.

HON M D XIBERRAS:

Does the Honourable Menher think that they are competing claims, or contradictory claims, from the Gibraltar Teacher's Association and the Association for Clerical Technical and Supervisory Staff, which represents, I am told, the Experienced Teachers?

HON M K FEATHERSTONE:

I don't know about that, Sir, but I understand that one should negotiate with the major union which is the GTA, and that is who we have been negotiating with.

HON M D XIBERRAS:

Would therefore, the Honourable Menber's statement about the relationship between the Minister and the staff apply equally to the GTA as well as to ACTSS?

HON M K FEATHERSTONE:

No, I have been talking about the staff generally, including nany teachers who are not even unionised.

Well what about the Unions then, the Minister's relationship with the union. Are there competing claims, and if there are competing claims, is this unlikely to lead to any policy change on the part of Government?

HON M K FEATHERSTONE:

It has not been the Minister who has been negotiating with the unions, either the GTA or ACTSS, on the wages revision. This has been done by the Industrial Relations Officer.

HON M K XIBERRAS:

Yes, but does that mean that the Minister does not have an interest in what is going to turn out of these negotiations and is he not beig kept informed of what status might result from these negotiations, for instance, for teachers qualified by experience.

HON M K FEATHELSTONE:

I think in the negotiations with the GTA, who are the union who represent all teachers in this, including even teachers who are not unionised, the negotiations have been as I say successful and I have been informed of what has transpired, but I have taken no part in it.

HON M D XIBERRAS:

Mr Speaker, the Honourable Member then would not then care to put a figure on the cost of this negotiation?

HON M K FEATHERSTONE:

Sir, that would need a computer.

Personal Encluments was agreed to and passed.

Other Charges.

HON M K FEATHERSTONE:

Sir, Other Charges go up by a considerable sum of money - £136,000 odd. This is mainly due to the inflation but there are also a few, I won't say innovations but I hope, improvements. Item 2, Sir, Books and Equipment. This has gone up by 20% which we have allowed for as the increase cost at source for books and materials. We have not increased the actual capitation allowances as this has been done over the last three years and has now reached what we consider to be a fairly satisfactory level. I say a fairly satisfactory level because compared with many of the different authorities in the UK, who produce a whole table, we come out into a reasonably high position.

Our capitation, for example, in Primary Schools', is £9.90 for the infants, and £12.30 for the Middle; and for Secondary Schools', it varies between £17 and £32.40 depending on the age groups. As an example, Sir, Essex, with whon we have established a link, is only £7.60 and £14.90; Nottingham is £12.04 and £24.00; and even the ILEA, which is the best in Britiin, at the Socondary level is £27, and we are £32.00 so I think we are doing very well. So we decided this year only to increase the actual cost at source and not to increase the capitation itself.

1

The Scholarship Fund, Sir, there is a considerable increase here, and assuming that the budget figures are accepted, will mean a 20% increase in the maintenance and other allowances to all students who are studying at the moment. That will come into effect on the 1st April, assuming that the figure is accepted.

Teacher Training, Sir. Again the figures are - this is iten 4 are considerably higher. We have 57 teachers in training and the noney provided of course also allows for in-service training; we are sending teachers to Essex to get some of the very necessary in-service training which we feel they need and which teachers themselves have been pressing for for many years. Much of the increase of course has come because the cost at source of the Colleges have gone up considerably. £300 a year for each person.

Iten 5, Sir, Cost of Services. This is simply the general increase of various services that are provided to the schools.

Item 6, Refreshments, Infants and Handicapped Schools. This is put on a realistic figure based on last year's actual revised estimate.

Iten 7, Sir, which is rather a painful increase, the Gibraltar and Dockyard Technical College. Much of the increase has cone because they have already got the benefit of the Houghton Report and they have the higher wages which eventually I presume will come to our teachers.... through the Scamp Report.

Iten 10, Sir, Cleaning and Incidental Expenditures. This is increased over last year and the House will remember I came to a supplementary on the actual points during the year just passed. Much of the expense in Incidental Expenses is the replacing of windows which are broken by vandals, and once again I cannot do more than ask every member of the general public to do their utnost to see that vandalism is supressed as much as possible. The two schools that are the particular targets seen to be Notre Dame and the Boys' Comprehensive.

Iten 12, Sir, School Furniture. What seems to be a very large increase this year is not really such an increase, it was, that last year, as we had a restricted budget, we decreased the amount of furniture normally provided year by year as much as possible, and we are just returning to normality. That is why it appears to be a large increase.

Iten 15, Financial Aid to the Youth Council. We are increasing this by about 25%. This we consider is a very worthwhile service and giving good results.

Educational Visits and Holidays, Iten 16, Sir, we are increasing back to £10,000. The cost of air fares is continuing to rise and our education visits and holidays are costing us more.

Now, Sir, something that has gone up very considerably, Iten 17, the Education of Children Outside Government Schools. I am afraid that....

HON MISS C ANES:

I an sorry, Sir, but would the Minister give way. On the question of local children in MOD Schools. If there is a child of school age in hospital ill do these children get any education, lessons, during their term in hospital at all? Has no provision ever been made for this? Sometimes a child has perhaps a broken leg and he has to stay a long time in hospital and is of school age. His education obviously suffers. Has Government ever provided for lessons during their term of hospitalisation?

HON M K FEATHERSTONE:

I an very grateful to the Honourable Lady for that question I would, with regard to anybody else, if they wish to ask a question and if they wait until the end I will answer all the questions at the one time. I an very happy to answer your question now. We do have a scheme whereby any child who is unable to attend school for a long period can be given private tuition by some of our teachers, and if you know of any instance, or if a parent wishes to apply to the Department, then of course we put it in operation.

HON MISS C ANES:

Thank you.

As I was saying, Iten 17, the Education of School Children Outside Government Schools. These are the children who attend the Services' Schools. The Services have just increased their fees from some £270 to £435 per annun and we perforce have to pay it. But I would comment that when we have finished with our Scamp Award and we know exactly what our education is costing for those Service children who attend our schools, the boot may be on the other foot: we may be increasing the price to them.

ŧ.

ſ

1

¢.

C

Industrial Training Awards - this is a new item in our budget. This is done in co-ordination with the Minister of Labour, my colleague on my right, and this is to send three youngsters to Hotel and Catering Training overseas.

Item 80, Special Expenditure. This is the purchase of science equipment for the Middle Schools. This is a one off job. The whole policy of the Middle School nust be a bridge between the Infant School, where the children are pure prinary, and the Comprehensive School where the children are secondary. In the Middle Schools the children will come in as prinary students and should leave as secondary students. Therefore they need in their last two years. in the Middle School some of the specialised facilities that they will be getting in the Comprehensive Schools. To allow this bridge to work properly we are putting £6,000 into specialised science equipment for the Middle Schools.

MR SPEAKER:

Could I, in complete ignorance, ask why it is Iten 80; why the number 80, it appears also in other heads?

HON M K FEATHERSTONE:

It appears all the way through, I think the Honourable the Financial and Development Secretary could answer that one.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I will answer that quite easily. The idea there is that in the hands of those who deal with vouchers the subhead number is self identifiable.

HON L DEVINCENZI:

Mr Speaker, I have noticed throughout, whenever the Minister has given any percentage increase he has used the figure of the original estimate to that of the 1976-77 estimate. Mr Speaker, I think that it is more realistic to use the revised estinate figure to the present one, as it is quite obvious that if they had to revise it upwards, that is what was needed last year. So any increase should be taken from the revised estinate to the 1976-77 estinate. That would give us a more realistic figure.

In Books and Equipment, Item 2, the Minister has already explained that there is in fact a 19.5% increase, but of course the Minister has explained that capitation-wise there has not been an increase because there hasn't been any need for it, I an prepared to accept the explantion given by the Minister, or rather I would check on that from other sources to see whether we are in fact as up to date and as well as he puts it.

HON M K FEATHERSTONE:

Could I just interject there? There hasn't been any pressure from Headteachers to make any increases, and in fact the Essex team that came round to visit us recently considered that our schools were quite well equipped.

HON L DEVINCENZI:

I an sure that somewhere in England were Mr MacMahon comes from it is also like that.

Iten 3, Contribution to Scholarship Fund. There again, Mr Speaker, in spite of being in opposition, I welcome the increase and also the allowances which are being given to studends. I understand that there has been some pressure in this respect but if it is being put right, well, fair enough.

Refreshments. ^This is rather a refreshing iten! The Minister says that there is no increase because he does not expect any increases on prices. An I correct in this; did he say that?

HON M K FEATHERSTONE:

No, I said that the increase here has been to put it to the realistic figure of what we were spending last year. If there is an increase in prices then I an afraid I shall have to come for supplementary.

HON L DEVINCENZI:

Yes, Mr Speaker, I cannot accept that there has been an increase, because the revised estimate 75/76 were £4,550, which is the same as the estimate we have now in front of us, so there hasn't been an increase. He has estimated the same amount.

I think you will find that in the whole of the estimate, the increase has always been between the Estimate of 75-76 and the Estimate 76-77, it doesn't take into account the revised estimate. In some cases revised estimates are not even known.

HON L DEVINCENZI:

Well, Mr Speaker, I accept that this is the way it is presented and it is not for ne to change that. Perhaps he should. But even accepting that that is the way, the fact, when it comes to practical terms, is that if there has been an increase last year, and we are now at £4,550, which was in fact what was spent last year, if you estimate now for the same amount then there is no increase, no matter how the estimates are done.

đ.

1

1

61

Now, Mr Speaker, the Dockyard School, As the Minister hinself has said, it is quite an astronomical increase. We find that from the original to the revised estimate it has gone up by 67%. Perhaps this is serious enough, unless I an wrong in my calculations, but this is what I get. Can the Minister check on that?

HON M K FEATHERSTONE:

I don't quite follow that one. It was £43,000 last year, and £57,000 this year.

MR SPEAKER:

A 43% increase.

HON L DEVINCENZI:

I an sorry, Mr Speaker, as against 72, because I an talking from the original to the revised.

HON M K FEATHERSTONE:

This is an example where the revised estimates can be misleading. It so happens that the revised estimate 75/76 takes in five quarters; they were late in sending one of their bills for 1974/75 and it came into the year 75/76. So it looks as though it cost us £72,000 that year, but it didn't really. This is where the revised estimate should not be taken as the guide. We paid five quarters of the bill, which was sent quarterly that year.

HON L DEVINCENZI:

Well Mr Speaker, I accept that this is perhaps one of those exceptional cases and I suppose that on the prices they are charging they can afford to be late for one quarter. This explains it. I did have a decrease of 26% from the revised to the actual in 76-77. What the Minister has now explained, the point is taken.

Iten 10, again he mentions increases, increase at source - this is Cleaning and Incidental expenses. I find there is no increase, again from the 75-76 revised the present figure £9,000.

HON M K FEATHERSTONE:

That is so. If you'll remember I came for a supplementary very recently. I even mentioned the question of vandalism at the time, that we had had a considerable amount of vandalism and that increased the expenses in replacing of panes of glass etc. On the assumption that vandalism will not decrease we have put the same figure this year.

HON L DEVINCENZI:

School Furniture, Mr Speaker. Again I welcomed the increase but I would add that this was long overdue.

Now Iten 15. There is an increase there of 50% from the revised estimate to the present one, and I would simply ask the Minister whether he could say what sort of representations he has had from the Youth Council and whether they are satisfied?

HON M K FEATHERSTONE:

Sir, the increase in my figure is not 50% but 25%

HON L DEVINCENZI:

From revised to the present one.

HON M K FEATHERSTONE:

Ah, well. I'm discounting the revised.

The Youth Council, Sir, is never satisfied; they would be happy if we gave them £100,000 in a year, but basically - you may quote that they know it only too well - but basically they are reasonably satisfied. Last year we were able to send six youngsters to England for training and we hope to be able to do the same this year. This is part of the reason for the increase.

HON L DEVINCENZI:

Mr Speaker, Iten 17, which my colleague the Honourable Miss Conchita Anes has already brought to the attention of the Minister. Again there has been an increase of 29% from the original estimate to the revised estimate, which is a fairly substantial increase, and then from the original estimate to the 1976-77 estimate it is as much as 59% there. Can the Minister explain, other than just by saying that we are paying more, or we are being asked to pay more, whether any trouble has been taken to quantify this expenditure. Why we are paying so much more? Is it justified?

HON M K FEATHERSTONE:

The position there is that our children attend their schools, they work out the figures that they consider each child is costing and they send us the bill for it. Other than going through each and every single item on their account, which is almost an impossibility, we have to accept their figure. This is rather like the instance if you wish to send your child to a private school you must pay the fees that they are charging. This is the instance that occurs here. It refers to one hundred possible places, by the way.

HON L DEVINCENZI:

Well, what are we charging the Ministry of Defence for their children coming to our schools?

HON M K FEATHERSTONE:

I will give you that in just one moment, if I may, please?

Well, our present figure is £360, that is for their children attending our secondary schools, But as I have said, when we have worked out the new cost of our children, after the Scamp Award, we may be upping that figure.considerably. Then they will have to pay our figures.

HON L DEVINCENZI:

I should think so, Mr Speaker. This is for sending their children to our secondary schools, and how much are we paying per child of ours which we send to their schools?

HON M K FEATHERSTONE:

Let me get this straight for you. We were paying £270 to send our children to their Primary Schools, and they were paying £360 to send

their children to our Secondary Schools. Because they have already had wage awards since the Haughton Report has cone into operation for the service schools, they have upped their £270 to £435. As we have not yet finalised the Scamp Award - the Honourable Mr Xiberras is laughing - we are still charging £360, but when it is finalised and quantified we will up that £360 to a figure that I should imagine will be higher than the £435.

HON L DEVINCENZI:

D

May I ask a pertinent question, would we get retrospection !!

HON M K FEATHERSTONE:

We would try anyway!

HON L DEVINCENZI:

Mr Speaker, it isn't very much a laughing matter because the fact remains that when all the adjustments are made - let me get this correct here. We are paying them £360 well to send our children to their primary school.

HON M K FEATHERSTONE:

May I repeat again, if you would like to take it very carefully. We were paying them £270, and they were paying us £360; that was the old rates. Now, they have got a new rate for us; we are now to pay them £435 **oo** far we have not increased ours, we have not yet quantified what it is and we have not yet made the increase.

HON M D XIBERRAS:

So, Mr Speaker, if we imagine that the Minister is not successful in getting the retrospection, by how much would the Government of Gibraltar be out if the present relativities were maintained.

HON M K FEATHERSTONE:

I an afraid, Sir, I would need notice of that question, it would take a little calculation.

HON M D XIBERRAS:

Well, Mr Speaker, could the Honourable Member just say that

I could connent that theirs comes into effect on the 1st April, so I should imagine that we could put ours to the 1st April this year. If we quantified ours in May and said as from the 1st April it would be accepted.

HON M D XIBERRAS:

5.3

As from the 1st April, but not because it is costing us more or less from the 1st April. On the 1st April it would cost us more?

HON M K FEATHERSTONE:

They have also been paying more with their wage award; I mean, their wage award cane through sometime ago last year, but this is normally done on a yearly basis.

(

4

4

4

1 1.0 25.0

HON M D XIBERRAS:

But I thought from the Minister's answer that there was some sort of understanding of the cost of the MOD teaching Gibraltarian children was relative to the wages, amongst other things, being paid to the staff. Is this in fact the case or not?

HCN M K FEATHERSTONE: state parties they they were paying an citize

Yes, oh yes.

HON M D XIBERRAS:

And is the converse correct, that the cost of MOD children being taught in our school is based partly on the wages being paid for our teachers.

s and or hand nut with mile the line - - - is .

HON M K FEATHERSTONE:

Yes.

HON M D XIBERRAS:

.....

Well, when the Minister clairs this retrospection is he going to clain from the 1st April or is he going to claim on the real cost of our teachers, let us say, back to October 1974?

Well that I can't say but when we do computation we will probably take it to the backdated date, although it will start payment in April, we will get some of the money back.

HON M D XIBERRAS:

And then the Minister has no idea of how much the claim of retrospection back to October 1974 would cost?

HON M K FEATHERSTONE: (1) and how of the set of the fight, a start of the fight of the set of th

No idea.

D

HON M D XIBERRAS:

Does the Honourable member know how many children are affected?

HON M K FEATHERSTONE:

I think we have 180 of their children in our schools.

HON M D XIBERRAS:

180, well, then I will do some sums, Mr Chairman, on the basis of the £2.7 million that the Honourable Financial and Development Secretary put down.

HON L DEVINCENZI:

Mr Speaker, Iten 19. After saying that one regrets that there were no industrial awards last year, one welcomes that it is on this year any iten. Mr Speaker, there was nothing last year, was there?

HON M K FEATHERSTONE:

No, there wasn't any: this is the first time that we have sent people overseas.

HON L DEVINCENZI:

I thought I heard someone saying there was last year.

No, I think the Hon Mr Montegriffo was talking of industrial award not industrial training award.

HON L DEVINCENZI:

I see. Again on Special Equipment, I am glad to see another innovation there.

Mr Speaker, there is nothing further for me to add except to end up, as I started, and that is by saying that I would certainly have been in a better position to have requested increases or anything I thought fit, if I had had, if not exact figures which are impossible to obtain, certainly an estimate of what was in store for Gibraltar if we had been given that information.

1

4

Thank you, Mr Speaker.

HON W M ISOLA;

I thought I would let the Shadow Minister for Education go through this.

On Iten 16, Education Visits on Holidays: I heard the Minister earlier on saying that that was due to high costs, increased cost. I an sure the Honourable Minister for Tourism will bear ne out that the increased cost of holidays have surely not gone up by 25%. Could it be that the Minister is asking us to vote £4,000 nore - with which we entirely agree on this side of the House - because of increased cost and because he intends to send more children on educational visits and holidays this year than last year.

HON M K FEATHERSTONE:

It is a combination of both, a little bit of both Sir. One of the things that we wish to do in the policy of educational visits and holidays, where the educational visit is an intrinsic part of the curriculum we feel that we should pay the whole of the cost. Up to the moment we have been paying part of the cost. But there are two courses where they do have to make an education visit and we feel that the whole of the cost should be borne by Government.

HON P J ISOLA:

Mr Speaker, I welcome that last statement by the Minister. I remember we ware talking about educational visits and holidays last year, we thoroughly disapproved of the large reduction that there was in this item of expenditure, knowing, as we do, the importance of these visits and of helping school children getting away from Gibraltar on holidays. I notice that on the revised estimates the Government has kept to the pledge it gave, after we pressed the Minister considerably last year, that if more money was needed for educational visits and holidays it would be provided. I notice that another £1,500 to that estimate is being provided. But I wonder whether this part of the broader aspect of education is being nurtured and encouraged as much as we feel on this side of the House it should be. And with this, Mr Speaker, I must take two other items. I would like to address the House on these three together. One is the provision for adult continuation classes, the financial aid to the Youth Council - which has been mentioned already by the Minister - and educational visits and holidays. I think these three subjects are really outside the day-to-day educational part of life of schoolchildren, away from the normal day-to-day running of schools and preparing children for exams and so forth. But they do represent the broader aspects of education and I think one in which the Government should show more initiative and allow less stagnation.

D

We appreciate, or we don't appreciate, that inflation does not permit the Government possibly to make all the improvements that they would like to make, because on educational votes, apart from industrial training awards and the purchase of some equipment, it seems that the increased expenditure is almost entirely due to inflation.

Presumably there is no need for further expenditure in the rest of the vote, I don't know, but it would seem to me that on this, on adult continuation classes, from the fact that what was voted for has been spent to the penny, it would seem to indicate to me that perhaps this part, this very important part of further education and providing further facilities for people outside the schools, is possibly not being pushed enough. There seems to be a demand, and I would certainly like to know what plans the Minister has for extending the field of adult and continuation classes?

Insofar as the financial aid to the Youth Council is concerned, Mr Speaker, I think we must always bear in mind the aid and the sums of money that are spent in promoting sport. A very laudable aim as well, and a very proper thing to support, but I would have thought that where the Youth Council is concerned, where Youth Associations are concerned, who are very limited in procuring funds for their objectives and their expansions and their aims, is a greater case for more generous Government assistance. And I think here we would certainly like to know whether, not just they will take everything they are given, but we would like to be assured that the Government's policy of helping Youth Associations and bodies and so forth, is conscious of the need to expand in this field. Because after all I would have thought this was a vital area of operation for the Government, especially when we have heard in the course of the budget address, I think it was from the Financial and Development Secretary, that there is a certain amount of unemployment among the young people, continuing unemployment among young people perhaps for a great number of reasons, but I would have thought that in that sort of situation the nurturing of youth activity, the helping of youth association to tide then over what must be a very difficult period of living for then if they cannot get a job and they are at a loose end completely and so forth, I think the Youth Association in that sort of situation has a very important part to play. Certainly I think we should like to know a little more of how the Government, through this Youth Council, hopes to help to sort out that problem.

As far as educational visits of schoolchildren are concerned, Mr Speaker, you will recollect that the actual sun voted for educational visits and holidays in the past have been quite considerable far in excess of the provision we are being asked to make for 1976/77, despite the inflationary trends in air faros and other factors. Again we would like to be assured once more this year, that on educational visits and holidays the ^Government is not just paying lip service to a policy that was instituted in real terms about four or five years ago, but is trying again to give this particular aspect of education, broader education, bringing children getting then away from the claustrophobic atmosphere of Gibraltar, expanding this, I think, necessary service in our community.

1

ſ

I pick on those three items, Mr Speaker, and not on other items here because I think these are the broader aspects of education, culture, and after-school education. If I may I will call it that, which I think are very important in the present situation of Gibraltar, and especially in the situation described by the Financial and Development Secretary. It would seen to me that the plans for expansion in this year are being influenced rather too much by the need to restrain Government expenditure - possibly because my friend's Union and the Government have not come to terms with other matters. But I would think that considering the amount involved, minimal really in the context of the Budget, I think the Government could afford to have a more expansive policy in these fields.

HON M K FEATHERSTONE:

Sir, with regard to Iten 13, Adult and Continuation Classes, the increase shown is practically entirely taken up with more classes, not with results of inflation. The plan this year is to have forty-five different adult classes ranging from English, Hebrew, Yoga, sewing, guitar, woodwork, photography, art appreciation, quite a wide range of subjects If any Menber feels, after perusing the list of subjects we are giving, that there is a need for any other subject, and interest can be shown, we are of course quite happy to consider it. - 177 -

The financial aid to the Youth ^Council, the actual figures shown of $\pounds 10,350$ shows a $\pounds 2,000$ increase over last year, but the actual increase is somewhat more because we have moved the electricity charges, which used to go against the youth section, into the actual cost of services. So they are getting altogether something like $\pounds 3,300$ more. We feel that the way we are approaching the situation with our youth, which is on a reciprocal basis, is paying dividends.

As far as the educational visits and holidays, it is not simply a question of paying lip service, but I would remind the House it is not always easy to get people willing to give up their own holiday time and go with youngsters during holiday periods on such visits. We haven't had very many people putting their manes forward as willing to accompany such children, but we are having this year a number of visits; we are having the educational visits, we have already planned two holiday visits of general interest, and two visits in which the teams from certain schools are going to play other schools in England. There is still a little money left for somebody else who is willing to accompany children on a holiday.

HON J BOSSANO:

Could I ask, Mr Chairman, on the expansion of the nursery education service. I feel that there is an urgent need for this to be seen partly an an educational side and partly on the side of allowing narried women the freedom to enter employment. I feel that in maximising the use of local labour resources, that side of it, the disability under which married women with under-school-age children labour under, when they try to obtain employment with flexible hours, should be a consideration in assessing the demand that there is for nursery school and places, and I would like to know whether the Government is prepared in fact to give priority to creating more nursery school places within a plan to make more use of married women in employment in Gibraltar?

HON M K FEATHERSTONE:

There are two difficulties in expanding the nursery, Sir. The first one is to have trained teachers, and in our training programe for teachers we are stressing the need for teachers who are willing to study for primary and nursery education, so much so that in this past year one of the teachers that has gone is going to specialise in nursery teaching. The other difficulty of course is to find the space to put the nursery schools. Our present nursery, which is at one end of the town, obviously is in a difficult position for the northern end to get to and it is not as full as it could be, but we are allowing a certain site in Glacis area to be rented out for a private pursery to be set up, not a Government nursery, at this stage. We are quite happy to look into the question of further provision of Government nurseries in the future.

Mr Speaker, may I come back and question the Minister a bit further, cr make some points that might serve some purpose later on, on the question of the fees that we pay the MOD schools. Now, according to the Minister - I hope I have got this right - we used to pay £270, and we are to pay £435; that is £165 increase per head. Multiply that by 180 children....

1

ſ.

1

4

HON M K FEATHERSTONE:

No, 100 children. 180 in our schools.

HON M D XIBERRAS:

Well, what did I say, £165 by 100 would be £16,500. An I right in saying that?

HON M K FEATHERSTONE:

That is the figure in the estimates.

HON M D XIBERRAS:

Yes, £16,500. This is the increased cost from the 1st April for the year 76/77; that's the increase. Now, the point that I an making is that if this increase is due, as the Minister said, to increases in the salaries of UK teachers.....

HON M K FEATHERSTONE:

Well, partly due to that, but also there is the cost of their books and other services which have also gone up. They make a computation, they say this is what it costs to educate a child, that is what you must pay.

HON M D XIBERRAS:

Yes, I think the Minister is changing his position somewhat, but I will pursue the argument if I may. Our costs could be deemed to have gone up as from October '74, eventually when Scamp is settled, and since they pay us now, because we are providing a different sort of education in Secondary Schools instead of primary, £360. That part of the increased costs that would be due from the increased salaries of teachers - Gibraltarian teachers according to Scamp - would the Minister not agree, might very well be in the order of £29,000?

HON M K FEATHERSTONE:

I would rather not quote a figure.

HON M D XIBERRAS:

D

.... for the coming year, and if one were to go back for a year and a half which is going to cost quite substantially we are talking about rather a big figure, would the Honourable Member or the Financial and Development Secretary care to comment on that.

HON M K FEATHERSTONE:

I can't quite follow what the Honourable Member is getting at.

HON M D XIBERRAS:

Sir, what I an getting at is that the fact that we have not made any allowance in the estimates for the cost of Scanp in this particular iten, this might undernine the Minister's future claim in this respect, and I would like some sort of assurance from the Minister, or some sort of explanation from the Minister, on what basis he proposes to claim from the MOD for the increased cost under this Head for children being trained in our schools?

HCN M K FEATHERSTONE:

This will turn up somewhere in our revenues estimates, not in our expenditure estimates. It appears as a revenue iten.

HON M D XIBERRAS:

Yes, undoubtedly, but I would be reluctant to vote the extra increase for this year if there was not going to be a quid pro quo with the Services Schools. In other words, it would not be fair at all to my mind for the House to agree tothe increases proposed by MOD, mostly because of their teachers for the coming year, when we have based the salaries for our teachers who teach their children as from October 1974. Now, has the Minister given consideration to this when asking the House to vote an extra £16,500.

HON M K FEATHERSTONE:

As I have already said we have agreed in our own minds that when we have done a computation of what it is costing to educate our children, taking into effect the backlog etc, we will give a new figure as from 1st April 1976 to the Services childreb.

- 180 -

HON M D XIBERRAS:

Yes, but....

MR SPEAKER:

No, no, we are talking at cross purposes.

HON M D XIBERRAS:

Yes, but the point is

MR SPEAKER:

Yes, but I think it is clear that the £16,500 has no relation whatsoever to the charge that the Government of Gibraltar will ultinately make to the Ministry of Defence for educating their children. The £16,500 is completely and utterly related, and exclusively related, to the increased charge that the Ministry of Defence is making to the Government of Gibraltar for educating the Gibraltarian children. There is no relation between one or the other. 1

1

6

HON M D XIBERRAS:

May I say that in keeping with the MOD, I think it is reasonable politically to expect then to have the same consideration for our case as we have for theirs, and, therefore, the only point I am at variance with the Minister is the fact that he intends to clain from the 1st April, but he does not intend to clain from October 1974, which it is the date from which the increases for our teachers is taking place.

HON M K FEATHERSTONE:

We can take the back-pay that we are giving to October '74 into account when we do our computation and we will come into a figure then which will allow for that.

HON M D XIBERRAS:

Thank you. It is a very substantial figure, Mr Speaker, and that is why I am raising it.

· + · · · ·

Other Charges was agreed to and passed.

Head 5, Electricity Undertaking - Personal Encluments.

HON LT COL J L HOARE:

Mr Speaker, I would beg leave to refer to my notes now and again since this is rather an extensive Head, covering three pages.

First of all I would like to point out that there is a nisprint at the bottom of that page under increase of £1,320 which has no corresponding iten.

MR SPEAKER:

D

At which part

HON LT COL J L HOARE:

The very last entry, that should have been taken right through, it was only taken from the front.

MR SPEAKER:

What correction are you asking to be made on this.

HON LT COL J L HOARE:

It should be taken out completely. It is not even included in the total of that figure.

MR SPEAKER:

And you say the totals are all right.

HON LT COL J L HOARE:

Yes, the totals are right. The actual staff in this Department is 35, although the establishment provides for 37. This is in fact an improvement on last year in that we have in fact been able to fill the establishment at Technical Grade I level. Last year it provided for two vacancies, although we haven't in fact been able to fill the vacancies at Assistant Electrical Engineer level. So that we have in fact cut the short full from four to two. We do hope that we can finalise these and get up to full establishment by promotion, which in turn will bring consequential promotions further down the line. ى ۋە ۋە ۋە ۋە يەر يېلىكى ئىگە يەر ئىس

1

(

ſ

6

There is no other exceptional item in here which merits any comment at all since it is almost identical, except as I say for that item at 3, when we have four instead of 2. The other thing that I would like to draw attention to is the overtime, which is based on present trends and averages over the previous year. There is absolutely nothing at great variance from last year at all there except for making up those two bodies.

HON J BOSSANO:

Mr Speaker, on personal encluments, can the Minister say whether there has been any analysis of the specific grades mentioned here in comparison with the grades that are employed in a UK Generating Station?

HON LT COL J L HOARE:

I an sorry, Mr Speaker, the Minister does not interfere in staff matters at all.

HON J BOSSANO:

Well, Mr Speaker, if the Minister does not interfere in staff matters it is the Minister who is asking for money to be voted for staff, will whoever decides what staff needed under the personal encluments answer whether it is considered, in the light of the Scamp recommendations, that the staff that is required in the Generating Station are the numbers in the grades given here, or whether there should be any change in the establishment as a result of comparisons with the UK?

HON LT COL J L HOARE:

Mr Chairman, the number of staff employed is the same as the staff which was employed last year and Scamp is quite irrelevant to it.

HON J BOSSANO;

Mr Speaker, does the Minister know whether that applies only to non-industrials or does it apply equally to industrials?

HON LT COL J L HOARE:

Mr Speaker, that question doesn't arise under personal enoluments,

HON J BOSSANO:

D

No, but I an asking hin, Mr Speaker, because I shall want to know whether I need to ask him the same question under other charges or not? I mean, is Scamp irrelevant only to personal encluments or is it equally irrelevant to the establishment as far as industrial workers are concerned?

HON LT COL J L HOARE:

Mr Speaker, in my opinion in the estimates as recorded here, it has been stated ad nauseum we are basing these on cost at the present time.

HON J BOSSANO:

I an not questioning that, Mr Speaker, I an not questioning the cost of the personal enoluments. I know that the establishment is the same as last year, but I an asking him whether he considers or whether he is aware, of any need to change the establishment as detailed under personal enoluments as a result of comparisons with UK being made in the staff that is required. It could be either less or more in specific grades required in order to bring it into line with UK practice for a Generating Station of our size?

HON LT COL J L HOARE:

I have said already, Mr Speaker, that so far as I an concerned this is the staff that runs the Generating Station last year, and whatever paper exercise you carry out with any other station, this is the staff which we are going to require to run it this year.

MR SPEAKER:

He obviously has not got the answer.

HON J BOSSANO:

He hasn't got the answer, but, Mr Speaker, has anybody got the answer on the Government side. I know he hasn't got the answer. Does anybody know on the Government side whether in fact, as a result of the Scamp recommendations, it will mean changes of gradings, does anybody know whether we need more TGI's and less TGII's or more TGII's and less TGIII's, in order to bring it into line with UK?

HON LT COL J L HOARE:

That cannot be determined of course until the staff negotiations are finished.

- 184 -

HON J BOSSANO

No, I an afraid that isn't so, Mr Speaker, what has got to be determined in negotiations is whether people accept 70% or whatever it is that the Government is offering. I am talking about the posts in the establishment. Is the Minister aware of any changes in the gradings of the non-industrial staff employed in a Generating Station?

HON LT COL J L HOARE:

Mr Speaker, I have said, insofar as I an concerned with these estimates, this is the staff that run the Generating Station last year, and this is the staff that I foresee as being required this year. ſ

1

ſ.

MR SPEAKER:

You are being asked whether you are aware as to whether there is going to be any change in the gradings.

HON LT COL J L HOARE:

I amonot aware of any.

HON A J CANEPA:

If I may help, Mr Speaker, as far as I an aware, consequent on the settlement of the Scamp Award, there will be staff inspections carried out by a team of Staff Inspectors who will then go into the structure at the Generating Station in respect of these posts. There could be changes then or there may not be changes, but as this stage it isn't known.

Personal Encluments were agreed to and passed.

Other Charges.

HON LT COL J L HOARE:

Now we come to other charges, Mr Speaker, which include the industrials and the wages.

There is very little change in the total labour force in this Department which remains around 165. As a natter of interest we are estimating on the anticipated generation of $6l\frac{1}{2}$ million units. Last year we estimated we would generate 48 million but I think we are going to go over that because although we were on an even keel, the fairly cold spell in the last two nonths has taken a sharp rise in demand and we are likely to generate 51 million units.

Coming to wages, there seens to be a decrease there, but if this is taken in conjunction with Item 24, and the footnote there too, they will find that this is not so. It is really a re-allocation of the staff which has gone down to the Orange Bastion Depot.

Iten 3 requires no comment.

Item 4, the increase is due to the rise in fuel and oils. Fuel has gone up from £42.90 in 74/75 for fuel oil, and we use around 11,150 tons a year, to £44, while Marine Diesel fuel has gone up from £55.75 to £64.90. We heard only at the end of last week that prices are going up again from 1st April, and is going up to £47.75 and £69.65 respectively. The sums we have been able to make out would indicate that I shall have to come along for and ask for another £35,000 on this subhead later on in the year.

Itens 5 and 6; these increases are due to high prices having to be paid and some indication of this price is plainly to be seen at the revised estimates for this year. Prices of spares have shot out beyond belief.

Items 10 and 11 should be taken together and you will find that there is very little difference because there is very little method of distinguishing one from the other.

Now we come to item 20. This is caused by a changeover from a PBX to a direct line. The PBX was unsatisfactory in that it was being manned on a part-time basis by a Clerical Assistant who had other duties to perform and as a result both services suffered. So we decided to go on to direct lines.

Iten 21, Apprentices. This covers 4 apprentices at the Dockyard and this covers their tuition fees as well as their wages. Four other apprentices are at the bench and come under Iten 2, Wages.

Iten 22, Staff Training. This covers the sending of a Graduate Engineer for a four year course at Mirlees and also two Technicians, each one to a different specialist establishment for 6 months each during the year.

Item 24, I have already mentioned, is the Orange Bastion and the figure there reflects the actual cost.

At Item 25 the increase is because we spent the bulk of the expenditure in setting up the Orange Bastion last year and this only routine Maintenance this year.

Iten 26 is rather an important one. This is to provide the rationalisation of the pipeline from Coaling Isalnd to the distiller itself. The

existing pipelines varies, how unbelievable it is, carrying capacity in that the diameter of the piping there is along different sections. So you have a surge at one moment, then it becomes smaller, from 6 inches to 4 inches, to 5 inches to 4 inches. What we are doing is to rationalise that pipeline of a uniform length. And this is in some way allied, though not in some ways direct allied, to Item 88 which I shall deal with later on. This has been brought to a head by the fact that the Shell Barge now cannot afford to give us a weekly service, because they have only one between two, and we have to meet their punping capacity. It the same time we have to have in our reservoirs two week's supply instead of one. If we go over to page, to.....

(

ſ.

1

1

HON W M ISOLA:

Could we not deal with this page before we forget what the Minister has been saying.

MR SPEAKER:

I think we ought to let the Minister have his say. Last year we were complaining the other way around you see!

HON W M ISOLA:

No, no I an sorry you see the

And a second to the second of the second of

MR SPEAKER:

But then each Menber will be entitled to go back on items and we shall not know where we are.

A ELMA EN ELLING SLIT MANDO

HON LT COL J L HOARE:

The statement on policy should have been evident from my very first remarks, that we are planning to generate 51 million units instead of 48, which is providing greater generation; and strengthening and reinforcing the existing one and improving the other items. That is the policy, to maintain in the simplest possible way, the policy is to keep the electrical service going on in Gibraltar.

MR SPEAKER:

Have you finished with your.....

- 187 -

HON LT COL J L HOARE:

No, I was just going to turn the page.

Item 27, maintenance of King's Bastion Roof. This is the cost of materials to paint it and make it waterproof.

Item 28, entails the sealing of all the windows at King's Bastion North.

Item 29 covers the work to replace and strengthen all circuits which radiate from the Hospital sub station - there seens to be some anusement. I suggest that people should walk about at night and see the improved standard in some lighting all over Gibraltar. Whereas you could not see before you can see in some places now.

Iten 31, Public Lighting. The breakdown is: consumption £11,450, repairs and maintenance £13,000 continuing improvement at Glacis Road, South Barrack Road, at Rosia Dale, at Rosia Road southern end, at Lower Castle and Willis's Roads, and improvements to along Mount Road; from Wilson's Ramp to Charles V Wall, and from Town Range to Kings Yard Lane: Also the southern end of PrinceEdward's Road. All these improvements, and the stores particularly, because part of this provides for the stores and not for the labour, because stores take a long time to get here, will come to 441,000.

the stand when which it is

S. TLAM SOLAND LAND

HON J BOSSANO:

Mr Speaker, can I ask the Minister why he has skipped item 30?

HON LT COL J L HOARE:

I have not mentioned Item 30 because anybody with any intelligence knows that I have already mentioned the 165 labour fource, and the 165 multiplied by the Biennial Review figure will give you the figure there.

HON J BOSSANO:

But, Mr Speaker, can the Minister explain why the £25.015 increase over the Estimate for 75/76, since I take. it the wages of the people at the Generating Station have not been settled any more than anybody else's wages have been settled.

HON LT COL J L HOARE:

In Iten 30 we are talking about Bienniel Review and Cost of Living.

1

1

1

HON J BOSSANO:

Yes.

HON LT COL J L HOARE:

What has changed?

HON J BOSSANO;

£25,000, Mr Speaker, on the increase column, which the Minister has missed.

HON LT COL J L HOARE:

You will find that that amounts to £719,940. I have got an idea that this now includes those amounts.

HON J BOSSANO:

No, but I want to know why he needs £25,000 nore than in 75/76, since presumably there has been no Cost of Living or Biennial Review for the Generating Station, unless....

HON LT COL J L HOARE:

No, it is shown separately.

HON J BOSSANO:

Well, there is no explanation here,

HON LT COL J L HOARE:

I would not know. But it was shown separately. But at any rate if members of the union will accept a reduction of £25,000 I would be delighted to do so.

HON J BOSSANO:

No, Mr Speaker, I an not suggesting that he should take it away, I an trying to find out who he is going to give it to.

HON LT COL J L HOARE:

I said 165 member at £436.

HON J BOSSANO:

And can he explain then who the £46,925 applies to which he paid last year.

HON LT COL J L HOARE:

That I can't. I haven't got last year's estimate, Sir, but I have been shown where this was in fact explained. The increase of £25,000 can be explained as follows: The Estimate for 75/76 only provided for by the Biennial Review, provision for the Cost of Living addition was spread over the various items which carry a labour content.

HON J BOSSANO:

Thank you very much.

HON LT COL J L HOARE:

32, Floodlight and Illuminations, which night cause a little heartburn. This remains as it was last year, \pounds 3,400, and the allocation is identical as it was last year.

Operating the King's Bastion Distiller, there is a big increase here, Mr Speaker, and this arises from the need to keep this distiller in operation as long as possible. There is a shortfall in our production of water, and although it is almost worn out, it is repairable and could, with a major overhaul, be expected to produce 7 million gallons a year for at least the next three to four years. In the figure of £21,400 is included a Council remittance of £1,400 from 75/76, because the item has not arrived; the major overhaul includes the replacement of No.1 Boiler which, is £9,500; the repairs to that Evaporator will cost around £5,500; and spares to the Steam Raising Plant will cost £2,500. If our hopes are fulfilled, and this is not being over optimistic, this will produce the cheapest distilled water obtainable in Gibraltar because it is using waste heat from elsewhere.

Under Iten 80, which will now cone under Special Expenditure, the small increase from previous years is accounted for by outstanding items brought forward from last year, as can be seen from the revised estimate figure in comparison to the actual estimate figure. I can give a breakdown of this of necessary, but they deal with such things as piston rings and compressors and little items like that, which I an sure are of no interest and would no doubt be boring. Item 81, this is the meters. We do not need as many as last year as the ones for Varyl Begg were obtained then.

Iten 82, is a repetition of the same iten which appeared last year which we couldn't do because of the other pressures of work.

Iten 83, is an iten which has been ordered for a long time but hasn't yet arrived, so we have to reprovide for payment.

1

(

84, 85 and 87 are continuing work. We have started the work, we are in the process of finishing then and will be finished this year.

Item 86, Vehicles, provides for the purchase of one staff car and one mini van to replace identical items which are now beyond economical repair.

Iten 88 I have already mentioned in connection with the Iten 76. This particular iten has been on the cards for a very long time. It is a somewhat longer scheme than was originally envisaged and is designed, as I said before, to provide us with two weeks storage supply instead of one, which is what we have at present.

Mr Chairman, if anybody wants to ask any questions they are certainly welvome. If I can give then the answers, I will give then the answers. If I have not got then available I will send for them and give it to them as soon as possible.

HON W M ISOLA:

There are a couple of questions I would like to clear up. Iten 21, the training of apprentices. Did I hear the Minister say that there were at present four apprentices being trained at HN Dockyard?

HON LT COL J L HOARE;

That is so.

HON W M ISOLA:

An I right in saying that it is costing us £2,000 to train an apprentice in the dockyard in Gibraltar?

HON LT COL J L HOARE:

Together with his wages, yes.

HON W M ISOLA:

Now I see that in the revised estimates 75/76, that the sun involved is £9,000. An I right in assuming that this year we are training less apprentices for the Electrical Department in the Dockyard than we were last year?

HON LT COL J L HOARE:

I don't think so, I don't think that is the answer at all. I think this is different from wages: first year apprentices. We are going to send only apprentices in their third year and not in their second year.

HON W M ISOLA:

I an sorry, perhaps he misunderstood my question.

MR SPEAKER:

No, he means that last year the wages were less.

HON A J CANEPA:

Mr Speaker, if I night clarify something at this stage. This is something that may recur under other Heads when the training of apprentices is involved. Honourable Members will notice that by and large there is a decrease in expenditure. I had a great deal to say at the budget last year about the cost of training apprentices, and consequent on a change whereby as from last September, September '75, instead of the period of off-the-job training at the Combined Apprentices Training Centre at the Dockyard, instead of it being two years as from last September that was changed to one year. Consequent on that there are savings, because some apprentices who would have been at the Centre until September '77, will in fact finish in September '76, We are saving half a year in respect of all of these, and the same explanation applies to Public Works and the Telephone Service.

.....

HON W M ISOLA:

I an much obliged for that answer, M_r Chairman. Can the Minister then tell ne if this is the amount of apprentices that we need in the Electrical Department or is there no demand in this department to have more apprentices sent to the Dockyard?

HON A J CANEPA:

From year to year, Sir, the Chief Electrical Engineer assesses what his requirements are and he puts into the Gibraltar Official Employers Apprentices' Board, what is termed a bid. For instance the bid this year is 4, he is hoping to take on four apprentices sometime before September.

HON W M ISOLA;

I an sorry, perhaps I have not made myself quite clear. I appreciate that we are sending four apprentices to the Dockyard. Are we sending the maximum or is it four because we can't get more apprentices?

4

HON A J CANEPA:

We are sending what we require if we can get then. Whilst we are prepared for instance to send four that does not mean that we will get those four.

HON W M ISOLA:

Much obliged. Over the page, Mr Speaker

HON M D XIBERRAS:

Mr Chairman, was the decision to cut these two years down to one, was this decision taken by the Gibraltar Government or is it a change in the course?

HON A J CANEPA:

The decision was taken by the Gibraltar Official Apprentices' Board following a suggestion nade by the MOD representative. It was first raised in the Board by the MOD representative, it was then taken to Council of Ministers - I nyself took it in April last year - and the recommendations of the Productivity and Training Manager and Heads of Departments who are members of the Board, was unaninously that we should agree to this recommendation.

HON M D XIBERRAS:

I would like to be assured, Mr Chairman, that there is no dilution of the qualification which eventually persons are to get; at the same time that MOD was not reacting to criticism in the House in reducing the overall bill of the Gibraltar Government by suggesting the cutting down of the course by one year; and thirdly, Mr Speaker, would the Honourable Member content on the cost, bearing in mind that now we only do one year there.

HON A J CANEPA:

Sir, the matter was first mooted in May '74 in the Board, so obviously we weren't reacting to any criticism. I an assured, and I was assured, that there would be no dilution in the end product, as it were, in fact the period of two years at the training centre was considered to be too long, and generally on the cost of training apprentices, which the House may recall at last year in the budget session I gave the figure as being £1,200 that apprentice trained at the Dockyard, we were able to elicit further information from the General Manager's and Finance Department, we got a breakdown of expenditure, and the most significant item in that are overheads. Overheads account for nearly 50% of the cost of training an apprentice. If that is deducted from the total cost then the resulting figure does not compare unfavourably with the cost of training an apprentice at Landport.

HON M D XIBERRAS:

This if the first hopeful news that we have had for years, Mr Speaker, in the four years or so that I have been raising the matter of the cost of apprentices training at MOD.

One further question, Mr Speaker. ^Do I understand that the whole course *Ef* apprenticeship is going to take one year less, or is it in fact one year less is done at the Centre?

HON A J CANEPA:

It will still be a four year period of indenture, but instead of being two years on-the-job and two years off-the-job, it will be one year off-the-job and three years on-the-job.

HON H BA3SANO:

Mr Speaker on Iten 2 Wages, I would like to ask the Minister whether he agrees that it would be fair to adopt the same procedure as he has outlined for the non-industrials under personal enduments in respect of industrial workers. That is to retain them in their existing grades and subsequent to their pay being increased to carry out an inspection to find out whether they should be down-graded or regraded?

HON LT COL J L HOARE:

Mr Speaker, once again I must say that this is not the province of the Minister. A Minister does not enter into any negotiations of this nature.

HON M D XIBERRAS:

Mr Speaker, this pleading of the 5th Amendment, saying I refuse to say anything on the grounds that might incriminate me, is hardly satisfactory from the Government as a whole. I think the Honourable Member, it is perfectly understandable, may not know about these things but some Honourable Members of the Government must know.

1

4

MR SPEAKER:

I think it is a fair answer to say that you are not responsible for certain things so you cannot reply.

HON J BOSSANO:

But, Mr Speaker, if the vote is brought to the House by the Minister, and if the House is asked to vote wages which the Minister says are necessary, and it also has to vote salaries under personal emoluments, who should I direct my questions to as regards what appears to be different policies being applied to different types of workers employed in the public service.

MR SPEAKER:

With due respect, I think questions of policy should be raised in the general debate.

HON J BOSSANO:

No, if I have to raise it in the general debate the policy as it is reflected in every single item in these estimates we shall be here till next year, Mr Chairman.

HR SPEAKER:

With due respect to you, you are entitled to criticise policy in the general debate and if you can carry the day you can defeat the Government on the fact that they are applying the wrong policy. The

only thing that matters now in these estimates is discussing the expenditure we are being asked to vote, not the policy behind it.

HON J BOSSANO:

But, Mr Speaker I am trying to establish what the policy is as regards the treatment of the individuals whose wages we are being asked to vote. We are being asked to vote a sum or wages, the amount of money we need to vote is conditioned not just by the comments that have previously been made about a sum being included or not being included in respect of any back money that may be due to them when the wages are settled, but also I think the House will be interested to know whether in fact industrial workers, whose wages are reflected in these votes, are going to have their wages adjusted first and their jobs looked at afterwards or not. The Minister does not seem to know.

MR SPEAKER:

That is a fair question, the answer is a fair reply. If he says he is not responsible and has not got the answer then there is no further you can go.

HON CHIEF MINISTER:

Perhaps I may say a few words that would put the thing into perspective both on this and other Heads of expenditure, and that is there is an on-going negotiation both in the industrial side and the non-industrial side on the implementation of Scamp, and this is being done by the Industrial Relations Officer and the administration. Ministers do not come into this at all, certainly not into the details: perhaps on the final analysis, when we know what the final results is going to be, naturally there will have to be some vetting, but properly, I hope people appreciate, that properly this is a matter which should not be in the hands of Ministers because it is a very technical exercise and it is one, particularly the question of analogues, where it can even be required of the Honourable Mr Bossano going to England to find something about it, how he can expect the Minister, who has other things to do to run the Department, to be able to be au fait with all the details of what is going on in negotiations. Therefore, in all matters connected with Scamp, as far as we are concerned, the matter has not reached Ministers, and most of them are not likely to, and I hope they won't reach them because if they don't reach Ministers it will be a good sign. That is the position with regard to wages. There is no question of altering anything and I imagine that the Honourable Mr Bossano might also apply and find out from his union, the Transport & General Workers' Union, what the progress is with regard to the Scamp negotiations. He might be able to find out from the Unions, which has premises at Transport House, in Town Range and he might find out from them what the position is. Certainly he probably knows without asking them, more than we do.

HON J BOSSANO:

Mr Speaker I know full well what the position is but what I am trying to establish is who is responsible for the policy. If it is the Industrial Relations Officer who is governing Gibraltar, then I an grateful to the Honourable and Learned Chief Minister for that answer. Then I shall know that the policy and not the detailed negotiations are not decided by the Government and then of course I shall take the steps that are necessary to put forward arguments where policy is decided, I thought policy was decided by the Government in the House of Assembly.

4

HON A CANEPA:

Mr Speaker, the Hon Member put, I don't know whether it was at the earlier session of this meeting in January, but he put a number of questions about the procedure that was being adopted with regard to the offers that the Government was making. He also put a specific question on whether there was a change of policy, a difference of policy from the treatment being given to industrials and non-industrials.

MR SPEAKER:

Whatever else, we are not going to discuss it here and now.

HON A J CANEPA:

But to expect the Minister for Public Works and Municipal Services, under the Electricity Undertaking, to answer himself for that sort of thing is not on. He cannot expect that particular Minister to answer. May be the Chief Minister, the Financial and Development Secretary or myself can answer.

1IR SPEAKER:

We are not going to discuss the subject any further.

HON J BOSSANO:

Mr Speaker, I am directing my question to the Minister in the first place because he is the one responsible to the vote, I have no objection to anybody else answering, but in fact the reason why I am raising the matter now again was because when I put the question before in this House I was told that there was no difference in policy.

MR SPEAKER:

D

I am well aware of that Mr Bossano and that is why I had to tell you that in Committee you would not be entitled to proceed further than you had. If you have been given the answer you wanted, fair enough. You have been given an answer which must stand.

HON J BOSSANO:

Well, I take it, Mr Speaker, that at least the Honourable and Gallant Member is now aware that in his Department, for whose wages and salaries he is responsible to the House of Assembly, there is a difference of policy in the treatment of industrials and non-industrials.

MR SPEAKER:

Not that I am aware of

HON LT COL J L B.ARE:

As I have said before I do not interfere, Mr Speaker, in staff matter.

HON CHIEF MINISTER:

I would like to make one point clear because I don't want to shirk any responsibility. What I was saying is that the details of the negotiations and the interpretation of Scamp as between the Unions and the Official Employers is a matter in the first place for the Official Employers, and in that respect I would like to add that as the Union well knows for as far as it is possible in the public interest it is a common policy between the Government and the other Official Employers. That of course may make things a little more difficult in having to clear these matters, but it is at that level that the matters arise and it is from that level that it could go higher, if there is an impasse I am not saying that these officials decide policy as a whole, they apply lines of policy to the negotiations. And the lines of policy that are decided are that we adhere to Scamp and there is a certain interpretation that can be given to Scamp by some people and another interpretation can be given by others.

HOIT J BOSSANO:

Could I just ask one more question of the Minister. Is he aware in fact that the workers whose wages we are talking about, Mr Speaker, have rejected the policy that has been put forward and have decided to take industrial action. Is he aware of that? No concern of his either?

MR SPEAKER:

I haven't said that it is no concern of his. Whether it is or is not is not for me to rule. What I rule is that the question is out of order in this particular thing. You might make a general comment in the debate. That is where you can take it.

HON M D XIBERRAS:

I express my total disagreement with what the Chief Minister has said. I hope I am allowed to do that. I think my Honourable Friend's question is a perfectly legitimate one. I think the House has been put off by the word "policy", but how this money is going to be spont is obviously the concern of the house at this particular stage.

£

1

MR SPEAKER:

On the money they are going to spend, certainly.

HON M D XIBERRAS:

In the spending of this money there has been some sort of assessment as to the general strength of the labour force.....

HR SPEAKER:

No, no. He has been questioning the Government policy as to Scamp, and that is what I have ruled out of order.

HON M D XIBER AS:

Well, the next point is that obviously the Minister or somebody in the Government is responsible for the manning level in that Department, and asking what the manning level is to be is a perfectly legitimate question for which Hon Members....

MR SPEAKER :

In my humble opinion, if it had been a legitimate question I would not have ruled it our of order, not definitely in this context. You are being asked to vote £113,800 for wages: you can down the figure you can up the figure but that is all we are doing now.

HON M D XIBERRAS:

I am not asking any more, Mr Chairman, I am not asking any more than what was asked in respect of Education; what is the establishment; are you going to review it; are the Experienced Teachers going to be changed. What we are saying is: has there been a review, or is there going to be a review, of the manning levels in this particular sector.

- 199 -

MR SPEAKER:

Well, that was answered, he said not to his knowledge.

HON M D XIBERRAS:

No, no, it wasn't ne.

MR SPEAKER:

Almost certainly.

HON M D ... IBERRAS:

No, no, no. It is taking place, but....

MR SPEAKER:

I don't know whether it is taking place. I an saying that he has got an answer to that one. The answer was that to his knowledge there was not going to be one.

HON M D XIBERRAS:

There is not going to be one. Not in pursuance of Scamp

HON LT COL J L HOARE:

I am not aware that there are going to be any.

HR SPEAKER:

May I clear the air because I have no doubt what was said. The Honourable Minister said that to his knowledge there was not going to be one; the Honourable Mr Canepa said that as a result of Scamp there would be an investigation and then there might have to be one. But at this particular moment the answer was correct, that there would not be one. Is that correct: am I misquoting anyone?

HON J BOSSANO:

Mr Speaker, that was in respect of non-industrials. The point I was making was that we have PTO Is and PTO IIs and PTO IIIs in the non-industrials, with the number of posts in the establishment on page 20. On the industrial side, on page 21, we just have a global figure for wages, but in fact the workers in there are also on particular scales. There are people on band 8, band 10 and so on,

MR SPEAKER:

But Mr Bossano, I as very clear minded, you can ask now how the £113,000 are computed, but what you are not entitled to ask is what is going to happen in the future. If you want a breakdown of the £113,000 you are entitled to get it. Let me make myself clear on that one, I am not ruling you out of order on that.

HON J BOSSANO:

I don't know whether I an out of order or not, Mr Speaker, but what I was trying to establish was that in fact, whether the Minister knows it or not, the House ought to know, to take this as one example of something that occurs in many other votes, but I have chosen this one to make an example of it because I think it is one which is clear. The industrial workers have been offered different grades based on what the Government considers the grade should be, given what the grade is in UK. But the non-industrial workers have not had the same treatment. You have just admitted that they are going to get their pay first and the inspection afterwards.

HON A J CANEPA:

In this case the IPCS is negotiating with Government, there will be an agreement, and on the basis of that agreement people are going to be graded PTO I PTO II or what have you. Subsequent to that, to establish whether those gradings are correct, there will be staff inspections. They may not change anything, they may upgrade people, they may downgrade some people. At this stage, at this given stage in time, the result of that is not known and therefore the estimates are being prepared on the current situation.

MR SPEAKER:

On present grading. And you are entitled to ask what are the present gradings and how these £113,000 are broken up. But that is not what you want.

HON J BOSSANO:

D

No, Mr Speaker, that is not quite accurate, I think the Minister is not quite right. The fact is that there is no one single non-industrial grade that the Government has offered a different grading, and virtually every single industrial grade has been offered a different grade. Those are the realities of it. The Government has come along and said to virtually 90% of the industrial workers: you should fit in this slot instead of this one, and that is why the negotiations have not been finished. But in practically all the non-industrial grades the Government has said; we will give you 70% of the existing grade, without any change of grade, and then we will look to see whether you should be there or should not be. That is the position.

MR SPEAKER:

And that is what I will not allow because that is going into the negotiations. What you complained to ne about is the fact that you did not know what the present gradings for the purposes of computing the £113,000 were. Well, that you can ask. What the present gradings are. Whether they are right or wrong or they are going to be changed as a result of Scamp is not relevant.

HON J BOSSANO:

Well can the Minister say whether the sum here is based on the new bandings that have been offered to the people in the Generating Station or on existing bandings?

HON LT COL J L HOARE:

So far as I an aware the answer is, no. It is based on the existing ones.

HON J BOSSANO:

Does the Minister then agree that the people in the Generating Station should stay in their existing bandings?

HON LT COL J L HOARE:

Whether they do or they don't is not ny

MR SPEAKER:

Any further questions on page 22?

Before I ask certain questions of the Minister on this particular page, I would like to get a couple of points clarified in my mind so that I don't waste his time or I don't appear to mislead him. I would like to refer to two matters. At page 50, Item 11, you see Illuminations for Festival, Revised Estimates 1975-76, £1600; then there is a little (b) and says, "Now shown under Electricity Undertakings." Do I understand the Minister to have said that on this particular one there was no change?

1

ſ.

HON LT COL J L HOARE:

No change in the amount last year.

HON W M ISOLA:

I am going further actually. It says £1600: does that £1600 appear under Iten 31 or 32?

HON LT COL J L HOARE:

It has not iten number now because it is not included there,

HON W M ISOLA:

It is included in Iten 32. Is that right, is ny assumption correct?

HON LT COL J L HOARE;

That's right. The footnote there says: (b) Public Lighting and Illuminations for Festivals now shown under Electricity Undertakings, They are now included in Iten 31 and 32 respectively.

HON W M ISOLA:

Mr Chairman, what I am trying to say is that I am talking with reference to Illuminations for Festivals, £1600 under Item 32. I am not asking about the item of Public Lightings of £35,400 which obviously appeared under Public Lighting.

MR SPEAKER:

D

D

No, no, what the Minister has told you is that Iten 11 at page 50 is now included in Itens 31 and 32 at page 22.

HON W M ISOLA:

I appreciate that, Mr Chairman, I haven't finished yet. What I an trying to say is that the Illuminations for Festivals as such appear under Item 32 and the Public Lighting of £35,400 obviously appears under Public Lighting, Item 31, but I am not yet finished.

Now if I go back to page 66 under the Tourist Vote, at Iten 11 I see "electricity (e)" and then it says: "floodlighting taken over by City Electrical Engineer." Where does that one appear, Mr Speaker, under the Electricity Vote? If you add those figures it neans much nore than £3,400, before I ask some general questions.

MR SPEAKER:

Is not this the inverse, that it has been taken out of somewhere and put into this particular one.

HON W M ISOLA:

With respect, Mr Speaker, if I may recapitulate. Under the Tourist Vote at page 66 it says: "electricity (e), floodlighting taken over by the City Electrical Engineer". I would like to know under what iten that one particularly comes off, because if it comes under 32 and we add up all those figures it is far more than £3,400.

HON CHIEF MINISTER:

Because the amount is £396 in respect of the illumination.

HON W M ISOLA.

£3,600?

HON CHIEF MINISTER:

No, £396.

HON W M ISOLA:

With respect, Mr Speaker.

HON CHIEF MINISTER:

Yes, it is one of many items.

HON W M ISOLA:

It is £3,610 in page 66.

HON CHIEF MINISTER:

£3,610 of a number of things but it no longer includes the floodlighting because that is part of the other one. And it is stated there that it is $\pounds 396$.

4

HON W M ISOLA:

What I an trying to get at is this, Mr Speaker - I think I an allowed a little leeway to try and explain my point vis a vis last year's Estimates. In last year's Estimates, I brought to the attention of the House that it was a great pity that we had not started floodlighting Gibraltar and made it a better looking place. As a result members on the other side agreed that we should start illuminating Gibraltar again, and we now have the House of Assembly, the Supreme Court, Referendum Gates, and the City Hall properly lit. And I must say I nust congratulate the City Electricity Department for an excellent work. But that is not sufficient and I would like to ask the Minister whether he has made provision for floodlighting this coming year the Moorish Castle, which was a great, a great asset in Gibraltar to have it floodlit, and whether he has made provision to floodlight Waterport, and in view of the excellent speech by the Financial and Develo-ment Secretary when he said that we wouldn't have yachts coming over, and in view of the Varyl Begg Estate, I would like to ask the Minister where provision has been made under Iten 32, Floodlighting and Illuminations, for the Castle, Waterport and the North Face of the Rock? And if not, why not?

HON LT COL J L HOARE:

Mr Speaker, at last I an trying to get at what he said. Now then, the new schemes for further floodlighting this year are those which we have done, we have got in mind to do the Sundial at Winston Churchill Avenue, Casenates Gates-West side, Cathedral of St Mary the Crowned, Waterport, and that is all. That comes to round about £1600, which in addition to the present provision gives you a figure of £3,400.

HON W M ISOLA:

D

Mr Speaker, did I understand that the Minister does not intend to floodlight the Moorish Castle as it used to be, or did I not understand him right?

HON LT COL J L HOARE:

Yes, I think this is on.

HON W M ISOLA:

This one is one of the most important ones.

HON LT COL J L HOARE:

Waterport, St Mary the Crowned, Casenates, Sundial. Moorish Castle is in progress at this very minute, from this year's funds.

HON W M ISOLA:

This is the object of asking these questions, to find out what is actually happening. Once again, Mr Chairman, and I am not trying to be sarcastic, but is provision also made under this item to illuminate Catalan Bay Week.....

MR SPEAKER:

Elininate?

HON W M ISOLA:

To illuminate.

HON LT COL J L HOARE:

Yes, Mr Speaker, it includes the illumination of Main Street at Christnas time, it includes the illumination for one week of Catalan Bay Village, and the illumination of the altar at the Moorish Castle in connection with the novena which is held every year. These three have been on for the last two or three years, and they are not being taken out. In fact we are adding to the item we alresty do.

HON W M ISOLA;

All I can say, Mr Speaker, is that if we are having all these various illuminations for £3,400 we are doing extremely well. There is one other point which I think is of interest and which I think is important, and I would like to know a little more about this. There are a lot of bollards at present which have for a long time not been put in....

MR SPEAKER:

That does not come under illuminations, this comes under Public Highway.

1

(

1

HON W M ISOLA:

I know, Sir, I want to ask the Minister where that comes under.

HON LT COL J L HOARE:

Mr Speaker, that comes under Iten 31, Public Lighting.

HON W M ISOLA:

Is the Minister aware that there are nany bollards which are actually lit around Trafalgar House that have no indicating arrows at all, and have been so for the last year?. This is obviously an area where a lot of traffic is continuously on the go and can the Minister ensure that these bollards are all the time properly lit, and certainly the arrows are properly painted. If I remember rightly when I asked this question a few months ago, Mr Speaker, or even more, the Minister said that they had nobody to paint these things. Eight or nine months have gone by and I cannot imagine that there is nobody in Gibraltar who can do these arrows indicators.

MR SPEAKER:

If my memory does not fail me I think the Minister then said that they had been provided now with new kinds of bollards which are made out of plastic. Am I wrong.

HON LT COL J L HOARE:

I think I gave that answer, But I also gave one to that particular question that I didn't think that whether there was an arrow and a bollard was of very great importance. Provided the thing was lit, if anybody drove on the left hand side of these bollards he had no right to have a driving licence. The lighting there is perfect and if he drives on the wrong side of an island it's too flaning bad! HON W M ISOLA:

D

D

Then there is no point at all in having any of these bollards and having then lit at all.

HON LT COL J L HOARE:

No, but the object of lighting then is to indicate to the notorists that they are there; not which side of then he has got to go. He should know that, he should know that he has got to drive on the right hand side in Gibraltar.

HON W M ISOLA:

One final question, Mr Speaker. I an glad to see that the Minister has made provision under this very famous Item 32 Floodlighting and Illuminations regarding the floodlighting of the Sacred Heart Church.

HON LT COL J L HOARE:

I haven't, I an sorry, I must correct you. What I have said is that I have allowed for the floodlighting of the altar in Moorish Castle Estate, as in the past: not of the Sacred Heart C.urch.

HON W M ISOLA:

An I to understand then, Mr Speaker, that the Minister has made no provision for this coming year to floodlight the Sacred Heart Church during the novena?

HON LT COL J L HOARE:

No, Mr Speaker, I have not.

HON W M ISOLA:

Will the Minister then say why he has made no provision for such an auspicious occasion which is requested by so many people and has aroused such a lot of criticism by the Minister refusing to floodlight the Sacred Heart Church for the whole time of the novena when the floodlighting could have been effected for the whole time of the novena.

HON LT COL JL HOARE:

I had thought that that was a question which the Honourable and Learned questioner wanted written down because I wasn't here to answer. I was holding my answer until he asked it at the proper time. I would have givenit to him. The answer is that I have no more reason for floodlighting the Sacred Heart Church during the period of the novena for one hour a night when people are inside that church, who are there to attend to what is being said in the church not watching the floodlighting outside than any more reason that I can floodlight the chapel of Our Lady of Europa during services every Sundays or St Andrew's church because it is a building or the Church of the Holy Trinity. What I did do this time was to allow the floodlighting during the actual procession when it could be used by people and when it was not a distraction to what they were doing inside that church.

4

HON W M ISOLA:

I an not against this but I mean surely if we allowed as we have done for years, even before the Minister was in politics and we were members of City Council we have always floodlit or illuminated Catalan Bay Village what is the difference between not illuminating the Sacred Heart Church for nine days between the Moorish Castle and the Sacred Heart Church vis a vis Catalan Bay. What is the difference. What has the Minister got against the residents of Moorish Castle and the Sacred Heart Church.

HON LT COL J L HOARE:

First of all Mr Speaker we do not floodlight Catalan Bay church itself we floodlight the village. The whole village and including the church - not separately. We have always floodlit and provided the altar at Moorish Castle because they ask for it every year. So far, and I was ready for this question to come, so far nobody has asked for the Sacred Heart Church to be floodlit during that week, nobody has asked.

HON P J ISOLA;

Surely if somebody asked he will treat the people in the area with the same generosity as he treats Catalan Bay every year. I mean I would have thought that with all Gibraltarians, I would have thought there were good grounds for treating the less fortunate people possibly in that part of the Rock who are more fortunate than on the other part of the Rock.

HON LT COL J L HOARE:

Mr Speaker, that is a different question altogether, if I an asked I will certainly consider it but to say that I have done this out of spite or because I have anything against it or to suggest it, is quite untrue.

HON L DEVINCENZI:

Mr Speaker, the Minister when replying was saying that if he were to floodlit the Castle Road area where the Sacred Heart Church is then why not mention a few other places of worship. I mean the difference here Mr Speaker, is that we are not talking of every Sunday we are talking about one specific week, one occasion. Of course it hasn't got to be floodlit every Sunday it is just one occasion and there is a very marked difference between that occasion where people flock over there to attend and the floodlighting for any of the other places mentioned.

HON LT COL J L HOARE:

This is once again a different concept that was given I was asked whether I would floodlight Sacred Heart Church. Now floodlighting Sacred Heart Church - that concept to ne would nean floodlighting it for 365 days a year in the same way - now this is something different. Now that this should be asked for by the church I would consider it when I allot ny expenditure but I repeat what I have said before that nobody has asked for it and that before we could do this We would have to get new fittings. The fittings that were used this time without authority without permission of any body were those which are earnarked and purchased for the Cathedral of St Mary the Crowned. And it was not right to use it for any other purposes without getting authority first.

HON L DEVINCENZI:

Does the Minister consider floodlighting the Generating Station?

HON LT COL J L HOARE:

The Generating Station does not have to be floodlit people are conscious of its presence by the noise.

HON L DEVINCENZI:

Mr Speaker but I thought the Minister had said he had not been asked,

HON LT COL J L HOARE:

No, I have not been asked by anybody it was a suggestion from a member of the staff who without getting any authority went on and did it,

HON M XIBERRAS:

Did what?

TON LT COL J L HOARE:

na e sule i l'espera L'écono de profes Floodlit the Sacred Heart Church.

HON M XIBERRAS:

I see, a member of the staff floodlit the church without the Minister or the Head of Department knowing

HON LT COL J L MOARE:

That is correct and by using the material which was earmarked and belonged to somebody else and which was already in stock for starting with other projects.

HON M XIBERRAS:

Is the Menber's salary included in this head of estimate?

HON LT COL J L HOARE:

Yes, as a sign of goodwill, which is why I allowed the church to be floodlit on the day of the procession itself.

HON M XIBERRAS:

Is the Hon Menber sure that this did not prejudice him in taking the decision not to floodlight.

The second se

MR SPEAKER:

Oh no, no, I will not allow that question,

1

1

1

Association of Max

HON M XIBERRAS:

D

As I understand it the Parish priest of that church did ask the Minister to floodlight the church.

HON LT COL J L HOARE:

. . .

That is not a fact he phoned me up whether I had given a decision and I said no.

HON M XIBERRAS:

Mr Speaker, I think the Minister is provocating a little bit. First of all I thought my Hon Friend made it fairly clear given the subject, fairly clear that we were talking about floodlighting the Sacred Heart Church for the Novena I think that was quite clear. Then the Hon Member obviously spent some time saying that he had received no such request. Now we find that, we heard in fact there was an attempt to floodlight the church unofficially albeit officially and now we find that there wasn't a request for the church to be floodlit and the Parish priest must have understood that there had been such a request because he phoned the Minister and asked him whether he had taken a decision or not on the matter. Now was the Hon Member saying

Contract in participation

HON LT COL J L HOARE:

I have said several times I had not taken a decision. That was my answer to him and I repeat that he did not ask and nobody asked for this church to be floodlit, it was a suggestion from a member of the staff who then got on and did it without getting any authority from anybody. This is my objection, the first time I knew it was when I can down and I saw then putting it up. This work had not been authorised.

HON M XIBERRAS:

I will give way to the Hon Menber Mr Speaker, but if we are discussing here as from the 10th in respect of floodlighting the church

MR SPEAKER:

It was completely and utterly anticipated and it will affect the possibility of asking that question in the next meeting. It has to. But anyway do go ahead.

HON M XIBERRAS:

Well in that case we might as well proceed with the matter. We want to know whether anybody asked or in fact nobody asked. That the minister's reply apparently to the parish priest was a rather.... must have been one which the parish priest must have misunderstood because the minister misled him. Because if he said I have not taken a decision yet on the matter and now he stands up and says he was not asked a question, if he told the parish priest I have not taken a decision on the matter and now he tells us that he was never asked the question, how can he possibly have been giving consideration to it.

1

1

1

4

1

•

1

HON LT COL J L HOARE:

I said that I had not been asked by the church. I had not given a decision on the suggestion put forward by one of my staff which is a completely different thing altogether.

HON M XIBERRAS:

Is he going to do it next year Mr Speaker?

HON LT COL J L HOARE :

It depends on whether I get a formal request in which case I will then come for supplementary funds.

HON M XIBERRAS:

Will it depend on anything else Mr Speaker?

HON LT COL J L HOARE:

May I say that it will then depend Mr Speaker on whether one gets the materials from the UK in time.

MR SPEAKER:

Right any further questions on other charges.

HON MISS C ANES:

Mr Speaker, coming back to Item 31, and not anything to do with the illuminations of any particular church or anything. Public Lightings:

could the Minister inform me how soon the temporary lighting which was installed in the by-road from Winston Churchill Avenue into Laguna, by Black Watch House will become a permanent feature? It has been temporary for some time now.

HON LT COL J L HOARE:

I can't recall this one. Is it from Landport Ditch?

HON MISS C ANES:

It is Winston Churchill Avenue, on your right, coming from Corral Road up to Laguna. The new by-road there by Black Watch House, just before you get to the Sundial. It has temporary lighting.

HON LT COL J L HOARE:

There is provision in last year's estimates. What happended is that the wrong fittings for this particular type of lamp post arrived, they had to be sent back and we got the others. But certainly I don't think I provided for them here as we were still expecting the fittings, but if it is not here, I will ask for a revote of the amount that was provided last year.

HON MISS C ANES:

Thank you.

MR SPEAKER:

Any other items.

HON J BOSSANO:

I would like to ask the Minister whether there is provision in any of the items here to implement the recommendations made by a Factory Inspector regarding inadequate ventilation in the Generating Station, because I can't find any specific reference?

HON LT COL J L HOARE:

I think that should come under the general improvements. The question of ventilation into the Generating Station is one which we are looking at very closely at the present time in connection with some other works. Nobody is more concerned about the ventilation in there and discomforts that this causes to individuals than the City Electrical Engineer and the directing staff, and we will do whatever we can to improve it.

HON M D XIBERRAS:

Mr Speaker, Item 33. The Minister referred to a big increase because of a major overhaul or something of the kind in the Distiller. What is the nature of the increase?

HON LT COL J L HOARE;

Yes, I gave a breakdown of it and the greatest single item, if I remember rightly, is the replacement of No. 11 boiler which alone comes to $\pounds 9,500$.

HON M D XIBERRAS:

I see, the whole of it is going on that.

HON LT COL J L HOARE:

That means that King's Bastion Distiller is almost being renewed to give it life for another three years at least, when it should produce at least 7 million gallons a year. As I said at the time it will be the cheapest way of getting distilled water here.

HON M D XIBERRAS:

And he said that the operation of the Distiller at full tilt, as it were, has made this necessary, over a long period of time. Now, would the Honourable ^{Mi}ember first of all confirm that because it has got so much to do with the water situation; and secondly, for how long he expects the distiller to be out of action?

HON LT COL J L HOARE;

Once we get the spares the distiller will be out for about three months. But if there is a shortfall of water - as there has been, this is why it has been necessary to import three tankers this year, but this we will deal with when we come to the other Head dealing with Public Works where the main two Distillers come into. The amount here is solely for King's Bastion Distiller, which I am now placing utterly and completely under the control of the City Electrical Engineer rather than have the divided responsibility between the City Electrical Engineer and the Director of Public Works.

Other Charges was agreed to and passed.

Mark M. Y. Sh. M. A.

1993 N.

MR SPEAKER:

We will now recess until tomorrow morning at 10.30.

The Committee recessed at 6.15 pm.

WEDNESDAY THE 24TH MARCH 1976.

The Committee resumed at 10.30 am.

MR SPEAKER: I think we are on Hood 6 . The T I think we are on Head 6, Fire Service.

Head 6 Fire Service - (a) Personal Emoluments.

MR SPEAKER: It is at page 23.

HON LT COL J L HOARE:

Mr Chairman Sir, Head 6, Fire Service. Once again I crave your indulgence to refer to these notes.

is some former to see it is to a series

This Head also has been slightly altered in that it includes a subdivision on Special Expenditure at the end.

It is worthwhile recording that the Brigade turned out on 478 different ocassions during the year to deal with a wide variety of instances from authorised entries into premises where people had locked themselves out, to fire in buildings winch might have endangered life. A matter for regard is that there were 23 false alarms during this period, the majority of which were malicious, a kind of such humour which I am sure the whole House will deplore. There is no calling for comments under (a), personal emoluments, since the small increases are due to the normal process of increments. There is no special addition, either in money or personnel.

Personal Emoluments were agreed to and passed.

(h) Other Charges

a sea gardhi

HON LT COL J L HOARE:

Coming to other charges, Mr Chairman, the pattern of increase is of course due to the higher all round costs of materials. Item 5, in Particular, has been pretty badly hit because of the increases in petrol, in oil, and more especially in motor spares.

Item 8 reflects the higher cost of replenishing the stocks during the year covering oil spillages at the Marina, within the harbour along Montague Bathing Pavilion, and of course all the beaches.

Item 9, Training Courses, covers the expenses of two sub-officers who are going to the United Kingdom Fire Technical College, and subsquently will be attached to Brigades in the United Kingdom for three or four months each in order to obtain wider experience of fire fighting and to keep up to date with modern and ever changing techniques which they in turn will bring back and pass on to the rest of the Brigade.

¢

4

4

đ

Item 11, a new item, a compressor for breathing apparatus cylinders. Previously we used oxygen cylinders which had to be sent to Morocco for refilling and very often resulted in long delays in the cylinders being returned. There was always a grave doubt as to whether we would have enough reserves in case of emergencies. We have changed to compressed air cylinder, which were being recharged in the Dockyard, but this method is beginning to prove very expensive. With this compressor we shall be able to do our own, to keep up our reserves charged at all times, and as this will be a mobile unit, it can be taken to whatever situation requires its immediate presence.

Item 12 is a new item completely. Expenditure which has hitherto been borne by individual members of the Brigade, and which in my opinion was quite unfair. Members of the Brigade are required to be in good physical condition at all times, and physical efficiency forms the basic part of their training schedule. There has for some time been a precedent for this type of assistance in another Head to the other Government uniformed force in Gibraltar.

Item 14 previously fell under the PWD vote, and we have a rather lengthy process of premises being investigated by the Fire Brigade, deficiencies of fire equipment being reported to the PWD, supplies being obtained from the PWD in due course, and then installed by the Fire Brigade. The present procedure is that the Brigade carry these spares with them and make any changes on the spote.

Item 80, which is the Special Expenditure. This is to replace a portable pump, and this particular one is the second Army Fire Service pump which was handed over to us, second hand, in 1948 and really has gone beyond its life's span. I am sure the House would like to know that the new tender which we provided this year is proving most satisfactory, primarily because of its comparative small width. Unfortunately we have not yet been able to sell our old big Dennis machine, which would have allowed us to get a second tender as its companion. Finally I would like to pay tribute to each and every member of the Brigade for setting up such a good example of dedication and service to the community.

HON W M ISOLA:

Mr Chairman, I would like to ask one question. Under Item 8 Oil Pollution. I know that in 1974/75 the actual expenditure was £198. We are now being asked to vote £3,000, which I think is quite a considerable amount. Do we get any reimbursements when these services are rendered by the Fire Brigade, and if so by whom? Someone must be responsible for the oil getting into the sea in the first place.

HON LT COL J L HOARE:

Yes, Mr Chairman, in fact we have a very lengthy process coming back to square one. This is a joint plan with the Services, in which the MOD accepts responsibility for the areas under its control, and the Gibraltar Government has responsibility for the areas under its control. It is one of these mutual aid arrangements which work rather well. But if there is a major spillage we endeavour to trace it, and if possible, make those people responsible pay for it. But it is very difficult to pinpoint which tanker at which process of time going through the straits decides to clean its holds there and the oil pullution either comes into the harbour, or very often onto the eastern side.

HON ATTORNEY-GENERAL:

I am sure the Honourable Member opposite will be aware that quite clearly that we have to take the action in the first place to get rid of the pollution. If we can prove, or have sufficient evidence to show who is liable, then we can take steps to recover. But as the Honourable and Gallant Minister pointed out it is by no means easy to find out who is particularly responsible. It is very often a question of whether there can be a legal recovery or not.

HON W M ISOLA:

What I would like to know is whether in these estimates any allowance is made, or are there any local persons at this moment of time, responsible for this spillage, or is it just ships passing by. Are there any claims pending by Government to recover any of this money from any local ships, etc?

HON ATTORNEY-GENERAL:

As far as I am aware there is no action pending at the moment against any civilian. There was a spillage some time ago and a certain amount of dispute is going on as to whether the MOD are responsible or not. This is being discussed between Government and the MOD and I would rather not say anything at this stage which might prejudice any negotiation. But I am aware that out of this spillage certain private boats have been contaminated, they have had to be cleaned up and it is a question of who is going to be responsible and who is going to compensate them. I would prefer to say nothing more at this stage. 1

4

1

1

1

0

HON W M ISOLA;

Mr Speaker, I am very much obliged for that answer. Can the Honourable the Attorney-General say if there is any other claim by the Government pending against any other b iy, apart from the MOD?

HON ATTORNEY-GENERAL:

I don't think we have got a claim against the MOD. One head of the Crown cannot claim against another head of Crown. This is a matter to be discussed between us. As far as I am aware I cannot recollect having seen any papers having been referred to my Chambers suggesting that a claim should be made. I cannot be more specific than that.

HON W M ISOLA:

It is quite a substantial sum of money, which one is worried about. That in 1974 it showed £198 and we are now asked to vote £3,000.

HON LT COL J L HOARE:

As I have said before there are two other groups here. First of all to make up what was used, because we are required by this agreement to keep a certain amount in store against a major disaster, which is the thing we really are concerned about, and certainly of course the price of this particular material has gone up like everything else. But this is not adding any extra to our reserves, we are merely topping up what we have used up during the yoar. This is a matter over which obviously Gibraltar has no control at all. It is merely faced with the job of cleaning it up so that the beaches are not contaminated, so that we do not lay ourselves open to major claims from the boat owners.

HON ATTORNEY-GENERAL:

If I may say one thing to help. In the spillage which occurred last year Government in the first place put in, let us call it, the detergent and it cost us approximately £900, but to replace this, by the time we used the stocks, the cost had gone up to something like $\pounds 1200$. So I think the Honourable Members can see just how expensive this kind of anti-oil pollution material is. And if one incident can cost $\pounds 1200$, the provision here would seem to be more than eminently reasonable.

HON W M ISOLA:

Thank you, Mr Speaker, all we wanted was to clarify this, and it has been clarified satisfactorily,

HON MAJOR R J PELIZA:

Mr Speaker, I have one or two questions. The first one is on Item No 4. I notice that the increase is about 25%. Can the Minister give an explanation for such a high increase.

HON LT COL J L HOARE:

25% on £2,000 is £500, which means that more hydrants have to be looked at and want major repair. £500 when you come to dismantle a fire hydrant and replacing it does not go very far.

HON MAJOR R J PELIZA:

1 am not satisfied with that, but still I will obviously not be able to get another answer from the Minister. Let us then go down to Item No. 6 - Running Expenses of Fire Station. This has gone up by about 50% hasn't it? It is £1256 of £3,000, that is the increase.

HON LT COL J L HOARE:

You are reading the wrong line.

HON MAJOR R J PELIZA:

£275, well if it isn't 50%, it is not very far from there.

HON LT COL J L HOARE:

I think the Honourable and Gallant Member opposite is missing a line. The increase for Item 5, of which I have given an explaination, being the.....

Ą

1

1

HON MAJOR R J PELIZA.

No, the first one was Item 4, now it is Item 6.

MR SPEAKER:

You said Item 6.

HCN MAJOR R J PELIZA:

I am sorry, it is Item 5.

HON LT COL J L HOARE:

I have mentioned in my explanation, Mr Chairman, that this item has been particularly hit on three sides. First of all the increased costs of petrol, the increased cost of oil, and the increase of of motor spares, which in Gibraltar is rocketing. And if we want to keep our Fire Tenders running, and let us remember that the Fire ^Brigade does all its first line repairs in the Station itself - that is why it has a mechanic there - it has to buy these themselves,

HON MAJOR R J PELIZA:

I must say that those figures hardly agree with the inflationary figure given by the Honourable the Financial and Development Secretary.

HON LT COL J L HOARE:

I think that even the Honourable and Gallant Member will agree that inflation is not constant all round, that some things go up much higher than others, and motor car spares in Gibraltar, I can assure him, is one of those which has rocketed, as anybody who owns a motor car will know.

HON MAJOR'R J PELIZA:

The other item is Item 6, now, which is about 25%.

HON LT COL J L HOARE:

Yes, once again this is materials. They have gone up all round, and doesn't include labour. And 25% I think is not excessive in this item. The Fire Brigade has to be kept to a certain standard, not only the Fire Brigade but the living quarters, and it includes not only cleaning materials but living materials because people live on the premises. - 221 -

Other Charges were agreed to and passed.

Head 7 - Governor - (a) Personal Encluments was agreed to and passed.

(b) Other Charges

HON P J ISOLA:

Could I just mention the Special Expenditure - the restoration of paintings at the Convent. I thought special expenditure was an item which was not non-recurrent, but I notice that there was an expenditure in 75/76 of £800, and there is going to be expenditures 76/77. Is this part of a programme or is it likely to be of a recurrent item? If so, why under that item.

HON CHIEF MINISTER:

I think it is special because it will be a once and for all exercise, except that the cost of the expenditure has been spread over 3 or 4 years. An expert from the DOE, this was in the time of the previous Governor, looked at the collection of paintings at the Convent and found that they were quite a good collection but that they were deteriorating from lack of maintenance. A programme on a cost basis purely, was agreed, I think it was over 3 or 4 years, to take a few paintings at a time, taken over at no expense, taken over by I think either the Navy or on some Service arrangement, and they are re-conditioned in England, then they are returned and then others are taken.

I tried to put into the bargain the restoration of our picture of General Sir Herbert Miles which hangs in the ente-roon and the other rather nice picture which hangs in the Chief Minister's office, an old picture of the Rock. It was agreed that they would come into the bargain on that basis.

HON FINANCIAL & DEVELOPMENT SECRETARY:

Mr Chairman, since the new classification "special expenditure" has been introduced, and the Honourable and Learned Mr Isola has raised this on a general point, and I don't want to delay the proceedings, but I might add cmeother thing. This is a very good illustration of expenditure which by its nature is in fact special. Because if the House approves expenditure of £800 for this purpose, then at the end of the day the House should be able to see that that money was spent for that purpose and for no other.

If it is put into "other charges" under our original procedure there is no enforcement, shall we say, the Accounting Officer for this can only spend those £800 on the purpose for which this House approves. No virement will be permitted.

1

4

ŧ.

4

Other Charges were agreed to and passed.

Head 8 - House of Assembly - (a) Personal Emoluments

HON P J ISOLA:

Mr Speaker, with regards to the personal emoluments of members of the House, I would like to ask whether there is soon to be a statement on this particular point by the Government. The reason why I rise to ask this question. Mr Chairman is of course that.....

MR SPEAKER:

That will be under the "Other Charges", Mr Isola; then shall we vote on the personal emoluments, first.

HON MAJOR R J PELIZA:

Mr Speaker, I have one or two questions. The first one is the productivity agreement; I think there were initially introduced in order to be able to get the Hansards in time. I see now definitely the current ones are coming out very quickly. I was just wondering what happened to the backdated Hansards.

MR SPEAKER:

I think I myself should be able to answer that question. The position is that in so far as Hansards are concerned the new constitution, since the present House of Assembly took effect in July 1969, every single Hansard of proceedings has now been produced with one exception, which is the famous Tisdale meeting. If you remember that meeting is going to be rather difficult to produce Hansards of because the recording machinery went out of order at certain sections. Having caught up with the backlog and being up to date completely with the Hansards right through with that exception, it is now my intention to produce the Hansards of the Tisdale meeting as fur as we can from the records that we hold, and then it will be up to the House to decide what should be done in the circumstances. But I can say that the Hansards right from the very start of the First House under the Constitution are up to date, with that exception.

HON MAJOR R J PELIZA:

Thank you for that answer, Mr Speaker, I think those who tackled that big job deserve congratulating and I think that tribute is very well deserved. As to that very important meeting, Mr Speaker, I do hope that something is done so that the most accurate version that is possible can be reflected on the Hansard, because it was perhaps one of the most important meetings that have been held in this House since the new Constitution took place.

MR SPEAKER:

D

Sec. 27 and S. S. S. S.

Well my only assurance in that respect must be the one that I have given, that a Hansard will be produced to the extent of the records that we hold, and then it will be up to the House to decide whether anything else should be done.

HON MAJOR R J PELIZA:

Thank you very much, Mr Speaker.

HON M D XIBERRAS:

Mr Speaker, without going any further, I would like to be assured that the staff of the House of Assembly is sufficient to meet its commitments.

MR SPEAKER:

That is a slightly gore point, and I would not like to say more than I ought to here. The Staff of the House of Assembly is no more than it used to be before, and is coping with the work. We may be getting to the stage now when perhaps we might need an extra Stenographer. We are in the position now that we are looking into the matter and we are going to make recommendations.

The work of the House has now increased tremendously and I think the service to nonbers is such that they are now getting what they are entitled to get and which they couldn't get before due to lack of facilities. But I think we will need some extra help and I will be making representations in that respect.

HON M D XIBERRAS:

I am very glad to hear that, Mr Speaker, I think no doubt it should also be borne in mind the number of Select Committees that are going on.

MR SPEAKER:

Not only do www produce Hansards for the meetings but we have to produce minutes and Hansards of all the Select Committees, and there are three of them going now, at one and the same time. I think it is

(

1

1

1

only appropriate that I should say some words of appreciation to the Clerk of the House who bears the brunt of all this work (tapping on the table). Right, those in favour, those against, carried.

(b) Other Charges

HON CHIEF MINISTER:

I am gald the Hon Mr Isola made a mistake and jumped up before because I was hoping that both sides would want a statement to be made in this respect though I have not had the opportunity of having a word with the Leader of the Opposition. I think no mention of this would go by default and might be interpreted as misleading. Together with the review of Scamp and the Morgan Review - in consultation with the Leader of the Opposition - Mr Morgan looked at the question of allowances of Members and interviewed present members, past members, and was given a completely free hand to look at it and his recommendations were on present form, that is to say he did not take into account any changes that might come about in the Consitution or any changes in any form of the set-up as it is now, so I think his recommendations were limited or governed by that. And he has made certain recommendations of which all Members of this House are aware and I think, in fact I would hope to have discussions with the Leader of the Opposition. I think these recommendations whether they are accepted or whether they are not accepted they would certainly in my view have to be relegated to the bottom of the list until Scamp and Morgan and all that have been settled, but in any case I think it would be in the public interest if the recommendations were made public some time before the next elections so that people who want to stand for election would know what might be in store for them if these recommendations are accepted. I don't think I would say more about that at this stage but he did go into the matter very deeply and made what I think were very sound recommendations which are worthy of consideration.

HON M D XIBERRAS:

Mr Chairman, the review of Members' salaries that has taken place was in fact agreed between the Chief Minister and myself though as the House will be aware it was more in the general context of the Constitution Committee that this side of the House raised the matter in pursuance of our policy of some full-time Minister at least - a two-tier system. Housever, since Members' salaries were obviously well behind the times, and since a general review was taking place the Biennial Review and the Scamp recommendations had been made and since Mr Morgan was available to deal with the salaries of the top civil servants for which purpose he had been invited here by the Government, ¹ agreed with the Chief Minister that Mr Morgan should look at the salaries of Honourable Members. It is also a fact that I agreed with the Chief Minister that when this was first mooted and subsequently when the recommendations were published were given to me, that they should not be implemented until the completion of Scamp. The Chief Minister has now said they should be relegated to the end and in any case the Chief Minister has just said that they should come into force before the next elections.

MR SPEAKER:

۲

The Chief Minister has said that they should be published before the next elections.

HON M D XIBERRAS:

Yes, that they should be published before the next elections so that candidates for the next election should be aware of what their salaries would be. If I had reason to change my view on what I told the Chief Minister that these salaries should not be payable before the other matters of Scamp had been settled, I have more reason to do so now, to change this view because the recommendations, as Honourable Members will be aware, go back to October, 1974, and therefore they are, to my mind, recognition of the worth, or some recognition of the worth of Honourable Members in the House at present. Because this is so I think it would be grossly unfair that if the Scamp recommendations were not concluded before the term of this House has ended, that Hon Members serving in this House should not get the benefit of these recommendations, particularly since the recommendations specifically state that they are bringing up Members' salaries to something reasonable as from October, 1974. There is another factor which is also important

MR SPEAKER:

May I interrupt? There is retrospection, therefore no Member would be done out of anything, would they?

HON CHIEF MINISTER:

If the Honourable Member will give way. I did not exclude the fact that they could be implemented before the term of this House terminates. What I said was that for the time being it could be a new situation if very little progress had been made and no policy statement had been taken of both sides in respect of the work of this House for either ourselves or for the next House, on a commitment. What I was saying now is that the question of considering them would preferably come at the end. But I am not excluding the fact and in any case my criterion on that would be on the same basis as my criterion on Morgan, and that is that until substantial progress has been made in the Scamp related grades to Morgan, Morgan would be implemented and therefore

¢

1

1

1

I think the same thing would follow. But I am not excluding the fact that they could be implemented by the House with retrospective effect to October 1974. I am just saying that at this stage I think we ought to leave it until more progress is seen to be made in other respects.

HON M D XIBERRAS:

Mr Speaker, I find that argument most unacceptable because as Honourable Members are aware, whether or not certain Unions, and the Government, and the Official Employers, decide to accept Scamp arrive at a settlement of Scamp, may be a matter which is contentious in this House. Therefore to subject Members to the possibility of pressure that they might agree to the recommendations of Scamp because . their own interests are affected, I think is not a fitting thing for the Government to do. Now, I agree that for reasons of tact it would be ideal if Honourable Members should receive their increases only after the Scamp recommendations and the Morgan Report and so forth, has been settled. But I cannot accept the statement as made by the Chief Minister because whilst he does not exclude the possibility of revising his view on what he has said, he does not give a guarantee to Honourable Members that they would be free of any pressure at all in the matter of their own allowances. The Morgan Report itself does not make any kind of connection as regards implementation between itself and the Scamp review, nor does the Morgan Report the top civil servants. Furthermore, Mr Speaker, as Honourable Members are aware, when the House is dissolved Honourable Members of the Opposition will not be entitled to receive payment whereas Honourable Members of the Government, as I understand it, will be entitled to receive payment and therefore the limited commitment of the Honourable Member is completely unacceptable. It might very well be a fact that for certain Honourable Members that they should have enough money if they wish to stand again which might come to them from the retrospection of the recommendations of Mr Morgan's Report whether they are able to tide themselves over reasonably between the dissolution of the House and the next elections. Therefore, Mr Speaker, I would ask the Honourable the Chief Minister to make a categorical statement to the House that in any event, whatever happens, Honourable Members of this House will get the retrospection before the House is dissolved.

HON CHIEF MINISTER:

Well, I would hope that some of this - not that I mind it being aired in public, in fact I wanted to raise it - but some of these niceties about pressures and so on might have been avoided and discussed for a possibility of an agreement. First of all let me say that there can be no question of pressure

HON M D XIBERRAS:

If the Honourable Member will give way. I left a word with his Personal Assistant after the meeting of the Constitution Committee last Monday, that I wished to speak to him about this matter.

HON CHIEF MINISTER:

Yes, I appreciate that but we had a very quick meeting of the Select Committee where everybody was in a hurry and there was no opportunity where we would have been able to speak about that. I did take that message. But there are one or two things which I want to make clear. First of all, there can be no question, in fact, the pressure that might be put if the matter were as the Honourable Leader of the Opposition has put it would be the pressure to give way to settle Scamp in the terms more acceptable to the Unions. It would not be pressure the other way because there would be an interest in settling the matter in order to collect the money. Now, that is the last thing I want anybody to think. The one thing that retracts me of the remarks made by the Leader of the Opposition is that we might agree before the dissolution of the House on the payment and that payment should be deferred until other people in Scamp receive payment, I think it would not be in the interests of the House that we should jump the queue, vote ourselves the allowances, get ourselves paid, whilst Scamp is being discussed at JIC level and other places. I think this is not the feeling that I would like the people to have of the way the House is dealing with this matter. I think there is a good point about the fact that people should know what it is and there is a good point about the fact that if we accept 'the recommendations the money should be voted and should be available for payment subsequently. But I certainly do not like the idea and will be against the idea of voting ourselves the money, getting ourselves paid, whilst people are fighting whether they belong to Band 6 or Band 8. I don't think that is in the interest of the House or in the interest of the people whom we represent. But I do not exclude the possibility and I am more attracted by the idea that the commitment should be made that the money should be voted but that payment should be, if necessary, delayed until some greater agreement or some general agreements are made in the whole body of Scamp rather than we should be the first to benefit of something which directly or indirectly comes out of the review and of the necessity to review allowances and to review wages and to review salaries. I am sure that that will meet with the feeling, generally, of the House that that is the way we should deal with it.

HON M D XIBERRAS:

Mr Speaker, I take that to mean - will the Honourable Member please

signify otherwise if it is so - that there is a commitment that Honourable Members of this House will receive their retrospection in any case. The Chief Minister is humming and hawing on this one,

MR SPEAKER:

I don't think anyone has put in doubt the fact that retrospection is accepted. I think what is being mooted is whether it is paid before the House is dissolved or after.

HON M D XIBERRAS:

Mr Speaker, you understand the Chief Minister better than I do.

1

HON CHIEF MINISTER:

What is that?

MR SPEAKER:

I have said that as far as I have been able to gather there is no controversy as to whether there should be retrospection.

HON CHIEF MINISTER:

Of course not. I never said anything of the kind.

MR SPEAKER:

The only controversy is as to when it should be paid.

HON CHIEF MINISTER:

That is right. When it is approved, when it is voted, and when it is paid.

HON P J ISOLA:

I can understand that for obvious reasons of tact and a number of other reasons which I am sure my Honourable Friend Mr Bossano can think of very quickly in quick session, a certain amount of diplomacy has to

exist in this relation but there is one thing, I think, that the House and the public has to bear in mind. I think the first thing is as I recollect from the recommendations on Members' salaries and Minister's allowances and salaries, that neither the philosophy nor the principles of Scamp have been applied in relation to Members' salaries. We are not to get parity, either 70%, 80% or 90%, Mr Speaker, and to that extent I think it should be known that we are well bohind in the queue, and this is one thing we gladly bear in the interests of the public. But of course I think the question of allowances and salaries are more important on a broader front. I think it is important to try and get them out and announce item as soon as conveniently possible. One hears of a number of people who would like to stand for election but one hears of very few who are actually committed to stand for election and if Gibraltar is to prosper as a democracy in any shape or form I think it is necessary to try and attract people into public life and I think the numbers seem to be dwindling a bit rather than increasing. So I think from that point of view the proposed allowances for Members should be announced as soon as convenient but it might be wise also to say in this relationship that the principles of Scamp and the principles of parity which have been advocated so strongly on this side of the House and accepted on the other side of the House, are not to be made applicable to Members of the House or indeed yourself, Mr Chairman I think it should be known generally that the House is possibly the body of people who are actually going to vote the money and are the people who will in fact come out worse. I think that point should be nade.

HON M D XIBERRAS:

Mr Speaker, on the question of tact and diplomacy I think it ought to be borne in mind that the Morgan Report for top civil servants is a matter of by far potentially more contentious than the salaries of Honourable Members.

HON CHIEF MINISTER:

The point is as I said at the beginning when this was being considered, nobody thought that we were going to get a percentage. There are no available analogues even if we wanted to and it therefore has nothing to do with that. It was a long overdue review having regard, generally, to the situation and also an additional encouragement for people who because of the increasing load, certainly on this side, of work involved in Government today, that there should be better remunerated. On that basis I certainly agree that the retrospection recommended should be implemented and that all the recommendations should also be implemented. The matter of timing is only the matter on which, perhaps, we could come to agreement and then come with some agreed statements. Other Charges was agreed to and passed.

Head 9 - Housing (a) Personal Emoluments.

HON H J ZAMMITT:

Sir, Head 9 - Housing, is one of the two new heads that the Honourable the Financial and Development Secretary mentioned yesterday in his Budget speech.

(

- 230 -

Generally one can say that there has been a separation, a divorce, from the Public Works Department, and I can assure members opposite that we have not have had to establish "adultory" on one side or the other, Public Works and ourselves, to make sure this occurred.

The only thing I can really comment on the Personal Emoluments, as members may note, is the required addition of one Senior ^Clerical ^Officer, but unless one takes this Head generally, it is only when one sees that this additional Senior Clerical Officer is required for the function of the wages structure, time sheets, and all the other clerical requirements for a now independent Department or Unit.

I don't think I can add very much more on the personal emoluments at this stage, Mr Speaker, other than saying that there is no comparison, unless one goes back to last year's estimates, and then we would have to go to the Public Works Department, Labour and Social Security, and Public Works etc.

HON MAJOR R J PELIZA:

I think it was an excellent idea. The move is simple the estimates are nade and the clearer the items are shown the better it is for us here in this House to understand them, and also to be understood by members of the public who would like to refer to the Estimates to find out how the Government is running its financial affairs.

But there is one question I would like to have answered, not so much by the Minister but by the Honourable the Financial and Development Secretary, and that is that I noticed that in the expenditure side we have - obviously I do not consider them new because they were already shown in the previous estimates - but we do see under the column "increase the amount". To the layman, and certainly to myself, it gives me the impression that there has been an increase while of course I suppose there hasn't. So that is one. If this is so how has this been reflected on the balance sheet, shall we say, how is it shown there. Is it an increase on the balance sheet? If it is so it is a fictitious one, it doesn't exist. Perhaps the Minister could explain how this is done.

HON FINANCIAL & DEVELOPMENT SECRETARY:

Mr Chairman, I agree with the Honourable and Gallant Member that this is a little lacking, shall we say, in clarity. But the long, long established practice that has been followed here - I am not going into the merits of it or otherwise - is that where the estimates of the current year - let me start again. That the estimates of the current year is compared, in figure terms, with the original estimates for the previous year. Now if you haven't got a Head the previous year, that second figure must be nought, and, therefore, you have what appears to be an increase which is shown on the column of the full amount which is being asked for. Now the only way to establish the real increase will be by comparing the estimate for the current year with the corresponding estimate made elsewhere previously for the previous year. And I do agree, I take the point, and this is something which I hope I will be able to do perhaps a little cosmetic surgery on as well in order to make the position in the future abundantly clear. But there is no question of this being a total increase, it is only a total increase insofar as this vote or Head is concerned. It will be matched of course by the corresponding provision which was made last year under different Heads.

MR SPEAKER:

May I be the nigger in the wood pile. Does that necessarily mean that if there has been a slight increase in any of the expenditure it is not visible.

HON FINANCIAL & DEVELOPMENT SECRETARY:

That, I am afraid, Mr Chairman, is the position and I accept that that is not as clear as it ought to be.

HON MAJOR R J PELIZA:

That is what I was trying to draw your attention to, this is precisely the problem, that it is very difficult to tell under the circumstances where in fact there has been an increase. Perhaps on paper there is an increase but overall there might have even been a decrease in that particular vote.

HON FINANCIAL & DEVELOPMENT SECRETARY:

Elsewhere, and I will take full responsibility for not having done it in this particular occasion, elsewhere it is also the custom in practice in the approved estimates for the previous year to put in brackets what was provided elsewhere, and I accept the fact that this could have been done and would have been most helpful. It will be done in future when we have any more of this kind of thing.

HON MAJOR R J PELIZA:

Coming to this vote, and perhaps the Financial and Development Secretary might be able to help us, because it is very difficult to find out whether there has been a saving or in fact there has been an increase. Perhaps the Financial and Development Secretary before we end this meeting could tell us under what Head there has been a saving and under which Head in fact there has been an increase. I don't know whether he has got the figures for this particular Head but I am not asking for it now. I suppose it is just as difficult for him to find out as it is for us and perhaps members of his staff might be able to help him.

HON FINANCIAL & DEVELOPMENT SECRETARY:

Mr Chairman, it is not difficult to find out. I obviously cannot do it sitting here but I will see that my staff do produce the answer. 1

1

t

HON MAJOR R J PELIZA:

Thank you very much.

HON M D XIBERRAS:

Mr Speaker, the Rent Collectors - that is Item 5 - this is one of my annual ones, I think as well. Will the Honourable Member opposite give an indiciation as to what system is being used. As the House knows, some time back there was a strike of Rent Collectors and a new system was devised. Now there are other flats where rents have to be collected. Can the Honourable Member give the House some sort of idea of how the system works, and whether it is working satisfactorily.

HON H J ZAMMITT:

Mr Chairman, certainly. I had hoped to have this further down under "Other Charges" because although Rent Collectors are included in personal emoluments it is only when one considers, as I said in my opening words, it is rather awkward as an entirely new Unit unless one can take the whole Head together, and that is, that there is a Warden structure which is now in full swing, and, comes under other charges. It therefore means that the Rent Collectors will still have to collect the rents in certain areas, because we are still not fully implemented all round Gibraltar, but there will be Warden offices were rents will be collected in certain areas. If one looks at this long term Rent Collectors will obviously be - 233 -

be phased out in time, because there will be offices at which we will be collecting rents as we do at present at the Post Office at Glacis and elsewhere.

Does that satisfy the Honourable the Leader of the Opposition.

HON M D XIBERRAS:

D

Are they aware that they are going to be phased out and will the Minister give an assurance that those in post will not be prejudiced.

HON H J ZAMMITT:

I very much doubt that in Gibraltar today they would be left without a job.

HON M D XIBERRAS:

Is the productivity bonus which used to be paid to Rent Collectors still payable?

HON H J ZAMMITT:

Yes, Sir, it is working. In addition to a productivity bonus I an told, after some enquiries, that after they do their particular mission they are free to go, as I think is well known.

HON M D XIBERRAS:

Does this mean that they get time in lieu or time off?

HON H J ZAMMITT:

There is a bonus of pay after they do a particular area.

HON M D XIBERRAS:

On another matter, Mr Speaker, I have always had a bee in my bonnet about somebody to man a telephone to help with exchanges of accommodation: having a special phone in the Housing Department to deal with exchanges. Now is there any provision, or has the Minister thrught this over: I think I mentioned this about two years ago? Has the Minister made any provision amongst these members of the staff for that.

HON H J ZAMMITT:

No specific provision has been made to have somebody just exclusively for exchanges. There is a counter as I think the Honourable the Leader of the Opposition well knows, where people are welcome to come along and give details and of course seek exchanges, but I have certainly not made provision here to have somebody specifically to man a telephone to deal with exchanges.

HON M D XIBERRAS:

Would the Honourable Members think about this because it seems to me quite clear that the number of houses that the Honourable Member will have to allocate, or his Honourable successor will have to allocate, is going to be vastly reduced, and, therefore, the pressure on exchanges is going to be greater. Having advocated this some time ago I would commend the idea now to the Honourable Member. £

ſ.

1

HON H J ZAMMITT:

Yes, Sir, I certainly wouldn't say no. It is a matter for, I think, serious consideration. At the moment, Sir, there is plenty of activity going on, but I agree with the Leader of the Opposition that a time may come in not too distant future when one will have to dedicate more time and more effort to justifiable exchanges.

Personal emoluments were agreed to and passed.

Other Charges.

HON H J ZAMMITT:

Sir, on Other Charges I think I can elaborate a little more. Item 2, the Upkeep and Operations of Centres refer to be their general maintenance and also covers wages. The supervision of Crown properties, Sir, is an entirely new expenditure which includes the Warden Structure. I will of course say much more about this later on in the proceedings, Sir. The warden Structure was implemented about a month ago, cleaning up Gibraltar. This has taken away a certain amount of labour from the Public Works Department for this function. The staff consists of one Head Warden, 4 District Wardens, 7 Wardens on maintenance and 10 Assistant Wardens, and their mission is, apart from receiving complaints in the various Estates, a cleaning up exercise all round Gibraltar. And may I say that they are doing quite good work. We are still not fully operational as the result of vehicles required; we are using Public Works Department vehicles, but a good job is already being done in this field. We have, as I said, began to arrange for the offices around the different areas where people can go along and report defects in their flats and all their requirements. That seems to be going rather well. I am sure, Mr Speaker, that there will be teething troubles, but equally I am sure, that we will do our utnost to make sure that this will run as smoothly as possible.

That particular £68,000 also includes a small work gang the use of which I implemented I think way back in September when I took over this Ministry and I would like, if I may, Mr Speaker, say that between September and this very morning, with a small gang consisting of one electrician, a carpenter, 2 labourers and 1 mason, we have been able to tackle work in 28 dwellings. That may not seen very much, Mr Speaker, but in the past the system was rather, to my mind, quite wrong. It transpired that a person handing over a tenancy would return the key to the Housing Depar. who in turn handed the key to the Public Works Department, who in turn, when they could, and I am not trying to be sarcastic about this, but we all know that Public Works are more than overworked, would go around, have a look at the house and keep the key. I discovered that there were certain houses with a loose door knob, a leaking tap, a missing tile - minor works things - which could quickly be rehabilitated and returned to the Unit, hence the initiation of this small work gang. The result today, as I say, is that 28 flats have become available.

I don't think it would be untimely for me to say here, Mr Speaker, that what we have found is the tremendous lack of concern that some people have when they leave tenancies. Some people remove a window and place louvre windows, at their own expense, but on their leaving that flat they remove the louvre windows and fail to replace the windows which were there originally, and I could go on mentioning other items, even baths. That is the hindrance that is caused to the Public Works Department, both costwise and labourwise, in not being able to rehabilitate a lot of those dwellings quickly. I am not seeking a telling off to the rublic from the House, I just say this for Member's information, but they may come across the fact that some houses have been empty for what apparently is an unreasonable period of time. When one takes in account the labour shortage together with the hindrances placed in this way by previous occupants, one can see that very little more can be done than what is being done at the moment.

Sir, I would like to add, when we come down to Special Expenditure, the purchase of vehicles, I suppose members opposite will note that the running expenses of vehicles, under 9, is rather modest, £300, which I very much doubt will be sufficient to cope with a whole fleet of vehicles when it arrives. This will merely cope with what we have at present, but one cannot provide for that until they arrive and when they arrive. We may have to come back for replenishment.

1

(

ŧ.

ŧ.

the second sources

I have not much more to say, Mr Speaker, at this particular time, only to say that this is a matter of an honourable divorce from the Public Works Department to whom, I am sure the Housing Unit have been very grateful in the past, but it is a matter to which I have given consideration, that it is a Department a little too large to be articulated upon a Public Works Department which is already grossly overworked. I think we should all realise that the Housing Unit, as it is known today, controls over £30m of property....

MR SPEAKER:

Yes but let us not open ourselves to a debate.

HON H J ZAMMITT:

I am just saying, Sir, that this is why it is considered necessary for a Unit in itself and I sincerely hope that it reaps the benefit that is intended.

HON M D KIBERRAS:

Mr Speaker, it is good to see the Honourable Member engaged in some real work, with a Department on his own, because he has spent three years doing rather less than that. Now he has a substantial vote to handle whereas as Minister for Sport in the major part of the life of this Government the Honourable Member has been kicking his heels in the touchlines of sport and some times in the water I imagine: flipping if not flapping.

Mr Speaker, there is no dount that this is a better presentation, and I shall certainly have something to say when we come out of Committee on the general approach to Housing. For the moment, Mr Speaker, may I say that in this £68,000 which is a very big sum, represents almost a kennell of the part of the department, is not a chunk of the Colonel's Department. I am actually delighted that this is not so, not because of the Honourable and Gallant Member but because I think it is likely to produce a more effective system. I entirely agree with the Honourable Member that having a small work gang to deal with minor repairs will prove more effective than introducing the monolith of the Public Works Department to do these smaller jobs, but I would ask the Honourable Member not to be tempted into larger works because then the whole purpose of having a small work gang to deal quickly with minor problems will be nullified.

So, Mr Speaker, generally I welcome the idea, not least because as the Honourable Member will find, that I make strong recommendations to this effect when I was Minister for Housing in 1972. And it is in this vein that I would like to ask the Honourable Member some questions to see to what extent the idea which was formally proposed them, in 1972, has been given effect albeit three years later by the Honourable Member. Mr Speaker, a fact is a fact, and when we come to the Public Works Department I shall have something to say about the emergency service in the Public Works Department. But a fact is a fact.

4 237

I like to see the Honourable Mr Canepa agreeing with me: I can see that.

Now, Mr Speaker, I would like to ask the Honourable Minister for Housing to what extent the cleansing of properties, the collection of rubbish and so forth, and the general supervision - two questions the cleansing and the general gupervision - The first used to be done, and as far as I an amare is still done, by the Cleansing Section, and the supervision which was largely done by resident caretakers or assistant caretakers - has been taken over in this particular vote, if at all.

HON H J ZAMMITT:

Yes, Sir, the general cleansing of areas is done by the Warden Structure, the estates. What we have done away with is the immense majority - and I say the immense majority not all of them as yet of the part-time, I think we heard this yesterday, part-time full-time caretakers getting something like 75p a month. That we are doing away with and the Estates have been divided up into areas, where there are Area Wardens who already been going round cleaning up under general cleansing requirements. What is also being done, Sir, is that because people have a responsibility for an area, there is a direct approach to the temants to ensure that they don't throw rubbish or have their rubbish bin scattered all around. We have arranged the old fashioned, I think they are called, rubbish collection points or something, little room with no doors on but which have been repaired. There is a certain amount - and I do not want to sound offensive - re-education, and it is working well.

Now, Sir, what we have done is that we have absorbed, I think, 10 labourers from the Public Works Department, who were hitherto in the general cleansing department, and they are the people who will pick up all the debris and other deposits that people have the "nice" habit of depositing. But it was never considered that this had anything to do with the collection of refuse, which is in a completely different sphere, despite the fact that what we are doing now is telling people that if there is a collection point they should use it and not have bins scattered all around staircases and what have you. I hope that answers the Honourable Member's questions.

HON M D XIBERRAS:

It does, Mr Speaker, I think Honourable Members will recall some questions being asked in this House about St John's Court where there wasn't a part-time full-time assistant caretaker, and the reason why the last administration did not appoint such a caretaker was precisely because 3 years ago or 4 years ago it intended to introduce this system. That is why there were a number of complaints and letters in the press about the general state of St John's Court, which is in fact a stone's throw from where I live, and, therefore, I entirely agree with the idea and I an glad to see that the labourers come now under the control of the Housing Department.

Now I would also like to ask the Minister whether he is reactivating the idea of Tenants' Associations, which I think must work hand in hand with this. ^Or could I put it another way, will this workforce, in his estimation get the support of the tenants, possibly as a Tenants Association.

1

1

MR SPEAKER:

The answer should be 'yes' or 'no', nothing else.

HON H J ZAMMITT:

Well, Sir, I don't think I can answer 'yes' or 'no'. I think 'yes' because we have one association, the Varyl Begg Association, Sir, at the moment, but I fill likewise that there is bound to be co-operation from Laguna, Glacis, from Moorish Castle, certainly co-operation, certainly support by all means.

HON M D XIBERRAS:

I hope the Honourable "enbers will be kinder to these Tenants' Associations, when they are formed, than the Honourable Colonel.

HON M D XIBERRAS:

Mr Speaker, I would like to nove into the question of this fleet of lorries. We would not like to be niggardly about the provision of a fleet of lorries, but would like to nake sure that the fleet of lorries is going to be necessary and used for the purpose - of course we know that this is the case - I shall have other questions to ask when we come to the Public Works Department, and they are not used for private transport; they are not used for any other purpose than the one intended. Could the Honourable Member give an idea as to what this fleet of lorries is to be used?

HON H J ZAMMITT:

Sir, I can certainly give an idea what the fleet of lorries is going to be used for, what I certainly cannot do is give an undertaking, a guarantee, or a promise, that these vehicles will only be used for these purposes. I think it doesn't require very much eyesight to look around and see that what is occurring today probably occured at the time when the Honourable Leader of the Opposition was a Minister. I don't think any Minister i this Government would guarantee that a vehicle will not be used to drive someone home for lunch or elsewhere. Certainly the requirement of the vehicle, Sir, is that there is a Head Warden, who is of course overall responsible to all the treas, and, therefore, there must be mobility and transportation to get him to and from different areas. That I think accounts for the mini vans or a pick up van, I don't know, one of the two. The mini van of course is required for the transportation of the cleaning gang from one area to the other as the case may be.

Now the question of a tipper lorry is vital, and may I say that I an sure that the Honourable Leader of the Opposition well knows that when one faces people like my distinguished and Honourable Colleague, he certainly wouldn't allow the number of vehicles that we have put in just for posterity, there must be justification. The tipper lorry is required, Sir, there is more than enough debris lying around Gibraltar which requires picking up and disposing of, and I can assure Members opposite that they will certainly be put to tremendous use.

HON M D XIBERRAS:

Mr Speaker, I an glad of those assurances. The Honourable Member will recall that the last administration spent a considerable amount of money, and may have created the problem by providing the cars in this place, so I would like to make sure that we don't go too dar in this and provide too many lorries. Therefore I am very glad of those assurances,

Mr Speaker, will the lorries be under the control of the Housing Department or will they form part of the transport pool.

HON H J ZAMMITT:

Sir, at the moment of course they will form part of the Housing Department. I think that further along at page 67, Appendix ... it will be found that the whole Head is the responsibility of the Housing Manager.

If there was to be in future a Transport Pool, which could well be a very good idea, I don't know it requires a matter of further discussion and clarification.....

MR SPEAKER:

In other words the answer is 'yes'.

HON H J ZAMMITT:

The answer is 'yes', at the nonent under the Housing Manager.

HON MISS C ANES:

Mr Chairman, I an very glad to hear from the Minister of this new Warden Structure which has been implemented. I hope they do a better job than the old system of Caretakers and Assistant Caretakers. we have had in the past. I don't know whether the Minister is aware that in the Laguna area the Assistant Caretakers would not clean the refuse tips in the patios unless tenants paid then a small fee, and after the refuse was collected any spillages was left there. You can imagine conditions of these places sometimes. I was always most annoyed because these were Government employees being paid wages for full time employment and, therefore, they did not have any right to ask tenants to pay them an extra fee for cleaning the places which they were employed to clean in the first place. So I am glad to see now a different system of cleansing the Estates has been established and I hope that they will work better than in the past.

6

ſ

There is only one item which I don't seen to see here under Other Charges, and this is the maintenance, the painting of the exteriors and interiors of blocks of flats. Is it that the Government have no intention of painting any Crown property at all this year? I don't see it appear under Public Works either. I don't know whether all the properties are in good conditions, such good conditions that they do not need any painting inside or outside.

HON H J ZAMMITT:

Sir, the point that the Honourable Miss Anes has raised about caretakers asking for noney to perform their duties is wrong and I think it is a matter which should have been reported at the time and investigated.

HON MISS C ANES:

I did try on many occasions to report it but unfortunately with these things unless people are prepared to come forward it is very difficult for me to blame anyone if the others won't help at all,

HON H J ZAMMITT:

As to the other I cannot off hand say - that is the question of painting the exterior and interior of Government properties - I think the Honourable Lady will find that there are £400,000 elsewhere. a second s

MR SPEAKER:

I think it is at page 50, Public Works Annually Recurrent - Iten 2. 70 be denotioned three partitioning repairs, about the last in series supervised and the second first particulus figures. I have any that we

HON MAJOR R J PELIZA:

Mr Speaker, coming back, if I may to Item 3 in Other Charges. It seems that this is a more practical and efficient way of dealing with this, but we haven't heard whether in fact there has been a saving in this reorganisation. Sometimes evolution or centralization, although thought to be money savers, turn out to be in fact the creation of a new Empire and I wonder if he could give us an explanation as to what the financial deductions can be of this.

HON H J ZAMMITT:

It is very difficult, Sir, to say at this stage if there has been a saving: there certainly hasn't been additional expenditure. What we are aiming for is a much better service. There is nothing new, when one considers that we already had a Head Warden last year; there may be new Wardens and Assistant Wardens employed, but there is also a take up from Public Works. I am sorry I cannot quantify the cost one way or the other. What the real aim is, is to clean up and make our Estates a little more sightly.

MR SPEAKER:

What you are saying is that on this vote there is no increase. Whether the running of the head later on will require an increase is another matter. · ·

HON MAJOR R J PELIZA:

Obviously I can understand that the idea behind this is to make it more efficient, I can see that, but what I would like to know is whether in fact people have been employed in the reorganisation; or have there been more people employed in the other department because somebody is coming out from that department and joining this one; have you had to buy more equipment? all those sort of

1

ſ

¢

1

ſ

. rutter netro's as

things. How much more do you reckon, overall, it is going to cost the Government to produce this higher efficiency. I would have imagined that someone in the Government, when making these decisions, nust have looked at the financial implications. If not, I would say that this is not the best way of going about the business,

HON H J ZAMMITT:

I think I can put the Honourable Member's mind at ease but I do not want to be committed into particular figures. I can say that we did take £50,000 from Public Works Department under general cleansing and the 10 labourers. The addition of £18,000 is absorbed by the work gang. As I explained that is the plumber, the carpenter, the mason and the three labourers, and the assistant wardens, wardens etc.

I am afraid I cannot possibly quantify - of course Public Works, as I an reminded - has 10 less labourers and the gang. It is a brand new Head, it is impossible for me to quantify with exactitude. Obviously there is an increase, it is a new Head, but by conparison with other Heads there is a reduction elsewhere,

MR SPEAKER:

well

I think if I remember/the Honourable the Financial and Development Secretary gave an undertaking that later on at the meeting he would be producing figures.

Mardenn and Arvietant wart of " played, but HON MAJOR R J PELIZA:

An undertaking to give us the totals.

d danden last year; there.

MR SPEAKER:

No, no, no. He has given an undertaking that he is going to give

HON MAJOR R J PELIZA:

I know, the totals of the different Heads.

NR SPEAKER:

No, no . . I think the answer that he has given has been that he will tell you how much the Head has been increased or decreased by . individual items.

HON MAJOR R J PELIZA:

Mr Speaker, I fully understand that, but in this particular instance there has got to be a comparison, whether we like it or not, between this particular Head and the Public Works Department. Because obviously we are taking something away from them, which I think is 10 labourers or other items of equipment like perhaps other vans, I don't know, but what I would like to know is the overall - this is obviously a new re-organisation - I would have thought that certainly any person responsible for that, when deciding the changes, would have looked at the financial implications. How much is this new efficiency, and we suppose this is going to be more efficient, going to cost us? It could be £2,000, it could be £25, it could be £68,000! I think we are here to find out, down to the last detail, how much more or less this is going to cost us, and then to evaluate that cost with prospective efficiency. And then we on this side will agree with you or disagree. I don't believe that it is proper for the Minister to come here....

MR SPEAKER:

With due respect, let us not have an argument about this.

The Minister has not denied the information so far, as far I as I can see. I perhaps am to blame for what you are saying because I have said that the monourable the Financial and Development Secretary has given an undertaking that he is going to bring the figures that you want. When those figures are produced one will be able to appreciate how much the department is going to cost.

May I ask the Financial and Development Secretary whether that is the case.

HON FINANCIAL & DEVELOPMENT SECRETARY:

Yes, Mr Chairman. I have given instructions to my staff to give me the details, the corresponding details, for 1975-76 against each of various items.

MR SPEAKER:

Therefore, when you compare those to what you have been asked to vote you will be able to find out how much the department is going to cost.

HON MAJOR R J PELIZA:

No, Mr Speaker, I am sorry, this is the whole point. You are thinking, and the House is thinking, that I am referring to the total in the vote. I am not referring

MR SPEAKER:

No, no, to any iten.

HON MAJOR R J PELIZA:

What I asked for before, and I don't expect the Financial and Development Secretary to go into every item of the estimates now, I was not asking for that, what I was asking for, was for the total of each and every particular department, whether there was a decrease or an increase, but in this particular instance I am not referring to all the others. There might be others where I may ask the House to give me details. In this particular instance I am referring to the £68,000 plus the van, and what I would like to know from the Minister, or if the Minister cannot give it to me the Honourable Financial and Development Secretary, now or later in the proceedings, as to whether in this reorganisation there has been a saving or there has been an extra.

HON H J ZAMMITT:

I think the Honourable and Gallant Member might be satisfied if I said, roughly there is an increase of £18,000/£20,000, including the vehicles. There is certainly an increase on what was estimated last year. If he looks at the remarks column he will see that they come from Public Works, Labour & Social Security, and there is no addition there.

HON MAJOR R J PELIZA:

The reorganisation is going to cost us from £18-20,000. That is what I want to know. Thank you very much.

And now what we have got to decide is whether in fact this is merited. Whether the extra cost of £20,000 is merited for the efficiencies that we are going to get out.

HON P J ISOLA:

As you see, Mr Chairman, we on this side of the House are glad the principle of self-determination has been applied to this particular Department and that the empire of the Gallant Colonel has been somewhat reduced thereby. Am I right in thinking that the process of self-determination has in fact been fully applied: am I right in thinking that the actual workers involved, the work gangs involved, and so forth, in fact work to the Housing Manager and are paid by him and so forth. It is a distinct and separate entity and will not be put on other works. The pob will be housing. Could I just ask that?

\$.-

ſ

1

(

(

HON H J ZAMMITT:

Yes, Sir.

HON P J ISOLA:

Thank you, Mr Chairman. I think generally on this question of Wardens, and the structure being set up, we generally approve as long as the main purpose of the exercise is never lost sight of, and it seems to me to be to give a good and efficient service to the tenants of the Government, as well as provide for tidyness environmental beauty and so forth, and keep it going. If that is the case of course we fully support it. But am I right in thinking that what we see on that page is the full sum of expenditure in respect of Government Housing that the Government have, that this excludes, or does it include, normal repairs that used to appear in other votes. Is this the full sum....

MR SPEAKER:

Mr Isola an answer to that question was given to Miss Anes. Page 50.

HON P J ISOLA:

Well I have looked at page 50.

MR SPEAKER:

Then you had better look at it again.

HON P J ISOLA:

It talks of

MR SPEAKER:

£400,000 Maintenance and Paintings of Crown Properties. Item 2.

HON P J ISOLA:

Yes, Maintenance and Paintings of Crown Properties. Yes, but that is not Housing alone. The point is this, am I right in saying - I have lcst the page! I think we can come to an assessment, and the net result in housing is, and I think this is something that should be generally known, and I think it is one of the reasons why one welcomes the proposals to have a separate department for Housing. I notice that the total revenue from Government Housing for 1976, for House Rents is £600,000. Now in terms of recurrent expenditure I don't include painting, but I think that is not really recurrent, that's every so many years, but in terms of pure recurrent expenditure can the Minister inform us whether that item of £600,000 covers the Housing vote by approximately £200,000. There seems to be a surplus of revenue over expenditure in that head of £200,000. Can he give the House an idea in the other charge of maintenance and painting what is the amount of the maintenance vote that can be attributed now to housing. 1

ſ

MR SPEAKER:

You want to balance the Housing Account.

HON P J ISOLA:

No, no, it is obviously not balanced, Mr Chairman.

HON H J ZAMMITT:

There is a motional account at page 86, Mr Chairman, but I think what I should say here, Sir, apart from page 86, is that I think the Honourable Member has not properly grasped what the Warden structure is about. There is bound to be a general maintenance. I think the Leader of the Opposition was trying to get me to admit that this work gang would only be doing minor repairs and not going into the major repairs as a Housing Unit. It would therefore mean that the Public Works would obviously continue to have responsibility for the major repairs of dwellings.

MR SPEAKER:

I think what the member is trying to get at. He knows what the Warden system is going to be about but what he is trying to find out is what is going to be the cost, to the Housing section, of the new Head, and how it referred to the revenue raised by housing. And the only way he can get to that figure is by finding out how much of the figure of £300,000-odd in page 50 is attributable to the repairs and maintenance of Crown Properties, is that correct Mr Isola?

HON P J ISOLA:

Yes, Mr Chairman, because the Housing Account which is on page 86 does a further splitting. You see, Mr Speaker, there it says: Supervision and Management, £43,000: Caretakers Fees £68,000, but if you add those two it is not £68,000, it is more.

HON CHIEF MINISTER:

I think page 86 is a summary of the expenses itemised around the other Head notionally to see what it produces, and I think they are just a reproduction. The only important part of that is that £35,000 is attributed The point is that repairs and maintenance and paintings is put up as £350,000 whereas in the Public Works Department it is £400,000, so that means that £50,000 is not in respect of Housing.

HON M D XIBERRAS:

Mr Speaker, with due respect, this couldn't be because if only £50,000 of the painting vote is not spent on housing then why do you have repairs and maintenance in the notional accounts in page 86.

MR SPEAKER:

Yes, that is right, that is the amount of the £400,000 attributable to Housing.

HON M D XIBERRAS:

So the £400,000 is not just.....

HON CHIEF MINISTER:

Maintenance and Painting of Crown Properties - they are all Crown properties, but when you come to page 86 it is Housing.

HCN M D XIBERRAS:

Yes, but it is repairs as well.

HON CHIEF MINISTER:

Repairs as well.

HON M D XIBERRAS:

The point I am making is that it is also repairs. It is repairs, maintenance and painting all coming from one vote of £400,000, £50,000 of which is for properties other than Housing. Then the caretaker's fees is what appears as supervision, and Supervision of Management is what appears as something else.

HON CHIEF MINISTER:

Supervision and managements is personal emoluments. They should have put in there, in brackets the item to which it refers in the other one, but this is a notional account. 1

(

ſ

0

HON J BOSSANO:

Will the House have an opportunity to go into some detailed questioning on the notional account when we come to the Appendix?

MR SPEAKER:

The notional accounts are never discussed because they are not put to thevote, they are there for pure information.

HON J BOSSANO:

Well they have been discussed every other year because I have complained about them every other year, Mr Speaker, and I want to complain again this time.

HON P J ISOLA:

The only other point I want to ask the Minister for Housing is that it is clear from the amount that is spent on Housing Estates, of £350,000 in repair, maintenance and paintings, that he hasn't quite got his independence. There is a tremendous amount done on the housing. Who decides, could I ask, what is done by his flying squad, and what is done by the Honourable and Gallant Colonel's empire? It seems to me that there must surely be some liaison here.

HON H J ZAMMITT:

Obviously there is bound to be a co-operation. What will occur is that the squad will only do very minor repairs. The larger repairs will obviously have to be done by Public Works. They have a list of the houses. What we are now going to do is to give them our priority and ask them to do a particular dwelling or house.

Now on the question of general painting and that, I think it will be an added advantage with the warden structure who will be able to report to the Housing Manager, and in turn to the Public Works Department, which particular Estate, area, requires a particular face lift.

HON MAJOR R J PELIZA:

If, therefore, the squad is only going to do the minor repairs, and the Colonel's empire is going to take on the major repairs, or will continue to tackle the major repairs, if we look now at Appendix 'I' I think again....

MR SPEAKER:

May I, without being misunderstood, say that members should be referred to by their title and nothing else, otherwise we might get to the stage when we will not know who we are talking about.

HON P J ISOLA:

I did want to say, Mr Chairman, that the Honourable Member has been de colonelised but not decolonised.

HON MAJOR R J FELIZA:

Anyway, coming back to Item 1, we have repairs, maintenance and paintings, and then under item 2 major repairs, which I would say seems to indicate that the repairs under item 1 are minor. So perhaps those repairs shouldn't be there at all. ¹ am referring to this because the question of major and minor repairs has come in. I can leave that to the end but I might as well clear it now. Page 86, the Housing Accounts. On the right, Item 1 and Item 2. One set says: repairs, maintenance and painting, the other one is major repairs and improvements. So those repairs, the first ones, are either major or minor, they cannot be major because the major ones are under Item 2, they must be minor.

HON CHIEF MINISTER:

Mr Speaker, I think what is happening now is that we are trying rightly so, I am not criticising it - but what is rather difficult is that we are dealing with another vote. And we haven't reached that vote yet. I mean, it is fair comment to say what is not in the Housing vote which we are dealing with, but to extend the whole area over all the other votes at the same time makes it very difficult. I am not saying that it is wrong but this is what is happening.

HON MAJOR R J PELIZA:

I think the Honourable Chief Minister said before

MR SPEAKER:

I think you are entitled to ask what the minor repairs which are going to be the responsibility of the Warden include so that later on when we come to other votes you can say that what was said before is not what is being said now. But I don't think you are entitled to question what is meant by minor repairs or general major repairs in another vote.

ſ.

ſ

1

HON MAJOR R J PELIZA:

Well, I shall certainly leave it for later, Mr Chairman, but what I am saying is that obviously the Flying Squad is going to do the minor repairs as I understood it.

MR SPEAKER:

I think you are entitled to have a definition of what the minor repairs will consist of.

HON MAJOR R J PELIZA:

Maybe he can. What is confusing to me is that the minor repairs are appearing twice. As we have already been told that £50,000 out of the £350,000 from the other vote are due to the painting of other properties, other than housing, now we come again with repairs, which already are included in this vote - I am talking now about the recurrent housing one, and the van under the £68,000, and of course it must be made part of that. Then we have repairs again under the housing. Is it that there is another unit also doing minor repairs, otherwise that is either wrongly included there or perhaps he can give an explanation later. I don't want it now, I can give him time to find out.

HON H J ZAMMITT:

I will certainly try and find that. I can assure Members that the flying squad will not do major repairs, it may well be for Public Works, but I will have that checked and report back.

HON M D XIBERRAS:

It may well, be, Mr Speaker, materials for the repairs, or a general material vote, I don't know, but in any case, Mr Speaker, I think it is a very useful exercise this, because we are creating something new, and certainly we would like to move towards a more efficient situation, and the cross references with the Housing Account and the various Departments are not clear. Mr Speaker, therefore, whereas

we support entirely the general idea of decentralising these services from the Public Works Department, we are not yet satisfied that this has been a move towards greater efficiency or towards financial savings. We shall of course come back to this when we come to the Public Works vote where we shall perhaps move a reduction of £20,000 in the Public Works Department vote if we are not satisfied that this has not been done already, or that the case has been made for the £20,000 to have been kept. Mr Speaker, may I ask on one more point, and that is who is responsible for the implementation of the tenancy agreements.

HON H J ZAMMITT:

The Housing Manager, Sir.

HON M D XIBERRAS:

Will the people involved in the supervision of Crown Properties have duties in that respect, and in any case is the Minister satisfied that tenancy agreements are being kept to generally.

HON H J ZAMMITT:

The Warden Structure will obviously have to have a say in the particular requirement, and in answer to the latter part of the question "no", I am not satisfied by the way tenancy agreements are adhered to.

HON M D XIBERRAS:

I have a follow up to that question but I will not take it just yet. I would like to hear what the Financial and Development Secretary has to say.

HON FINANCIAL & DEVELOPMENT SECRETARY:

Mr Chairman, I think, and I must qualify, because I am not responsible for these votes, I think I can identify the £25, 00.

HON M D XIBERRAS:

I thank you, Mr Chairman, but just before he does, would the Honourable Minister for Housing, fin**ish** off. I thought you were making a contribution on this. Would the Honourable Member say what he is going to do about the enforcement of tenancy agreements?

HON H J ZAMMITT:

Sir, one can do no better than to refer matters of particular aggravations to the Honourable and Learned the Attorney-General, of all matters that come to my attention of complete disregard of the tenancy or breach of a tenancy agreement. (

(

(

HON M D XIBERRAS:

Can the Honourable Member give the House any indications in what respect he is not satisfied with it.

MR SPEAKER:

Insofar as there are breaches of the tenancy agreements now, but not into the particular breaches.

HON M D XIBERRAS:

Nor particular breach but general breaches.

HON H J ZAMMITT:

I have already mentioned I think the question of structural changes within dwellings; and not only within but externally and I think what the Honourable Member is after here is the canine problem. On this of course I feel like he does but this is a matter for a lot of consideration, Mr Chairman, I have looked into this already, quite honestly, but there is more than one problem. What the rules in the agreement define as a "pet" can be taken to the ridiculous point of having tadpoles. So, therefore, I think we should try to specify the terms. But I sympathise with what members opposite as well as on this side of the House too consider is that there are pet, and pets. Probably an Alsation is a

MR SPEAKER:

In other words it is a question of structural alterations and animals.

HON M D XIBERRAS:

Mr Speaker generally is the Minister thinking of revising the agreement to conform with realities.or

MR SPEAKER:

No, no, we are not going to go into how they are going to do it. I think the Financial and Development Secretary wanted to speak.

HON FINANCIAL & DEVELOPMENT SECRETARY:

Sir, I can identify the three items but it would not be 100%. The first is

MR SPEAKER:

But if you are not 100% sure, and if we are not going to get it, we have got other Heads on which this is going to come up and perhaps that will give you time to make certain .

HON FINANCIAL & DEVELOPMENT SECRETARY:

Then I will get the factual information and report it.

HON MISS C ANES:

Under item 8 - Rent Relief Differential Scheme. This has been moved from the Social Security Department Head to the Housing Head. Does it mean that people applying for rent relief who are already on social benefits do not inform the Labour and Social Security Department at all, or does one department liaise with the other.

HON H J ZAMMITT:

Mr Speaker, it is a matter of procedure. Once a person was on social benefits it was invariable that we had to make some adjustment on rent relief. Again it is a question of streamlining from having a vote within the Labour and Social Security paying the Housing Account. It is now globalised into the same account. But although they don't directly do this we obviously get reports from, and there is liaison between the Labour and Social Security and the Housing Unit.

HON MISS C ANES:

Mr Speaker, not all people apply for rent relief are on social benefits, are they? It does only apply in the case of a certain amount of income per week so it doesn't really mean people on Social benefits. I was thinking of people who are pensioners. I think the Minister for Labour already knows, I have written to him about it.

HON A J CANEPA:

Even up to the present last year the provision for rent relief came under the Department of Labour and Social Security, but the actual administration of the Rent Relief Scheme was nevertheless in the hands of the Housing Manager. It did come under him, and it was only really for convenience, because the Housing Unit had no Head of its own, rather than putting it under Public Works, which would be incongruous, it was put under the Social Security Head. But as I say, the administration was still in the hands of the Housing Manager, there was definitely liaison between the Family Care Unit and the Housing Manager, and that will still exist, and they will still continue to refer cases to the Family Care Unit.

HON MAJOR R J PELIZA:

Could the Minister say - I cannot compare this unfortunately at the moment with the previous provision for rent relief - but in view of the rise in inflation, could the Minister say when the level of rent relief was last looked into.

HON A J CANEPA:

At this time last year, and in fact a statement to that effect was made at the same time and details were given at the same time as the rent increases took place.

HON MAJOR R J PELIZA:

And in view of the continuing rise in the cost of living was it not thought perhaps appropriate to have a look at this before this year's estimate again.

HON A J CANEPA:

The level was raised. The level of entitlement to rent relief was raised last year, about this time last year. Obviously it is something that has got to be kept under fairly continuous review, but it has been increased and I think the Honourable Member will find that the provisions of £20,000 is a bit higher than in the past.

HON MAJOR R J PELIZA:

That is exactly what I was trying to find out; thank you very much.

1

1

(

1

HON FINANCIAL & DEVELOPMENT SECRETARY:

Mr Chairman, if the Honourable and Gallant Member will refer to page 33, at sub-head blank at the bottom, non-repeated, he will find all the corresponding provisions for 1975-76.

HON A J CANEPA:

£10,000, Mr Speaker, was the approved estimate last year, the revised was £18,000, precisely because of the revision of the scheme.

HON J BOSSANO:

Concerning the operation of the new Warden structure, to what extent does he see that there is an overlapping function with the Public Health Department, and whether savings in this connection in fact are being taken into consideration. I am particularly thinking of the very ineffective system which has operated up to now where Public Health Inspectors are called in by tenants, they report complains to the Public Works Department, and in fact, because it is the PWD they are unable to take legal action when they find infringements of the Public Health Ordinance, as they do with private landlords. I would like to know whether the Minister in fact is planning to maximise the benefit he gets from the Warden Structure by looking at this area as well.

HON H J ZAMMITT:

I think the Honourable Member will realise that the Crown cannot sue the Crown. That is obvious. That there should be liaison between the Warden Structure, the Public Health Department and the Public Works Department is pretty obvious. If there is no liaison then, of course, nothing is done. Already I think it has been seen that liaison exists in the removal of certain chicken coops in certain areas, where the Public Health Department has been involved, the Public Works has been involved, and the Warden Structure has been involved.

MR SPEAKER:

Yes, but we mustn't depart from what you have been asked. The answer is, yes or no. What you are being asked is that the fact that you have a Warden system means that the Public Health will have less work to do because you will be putting things right that had not been put right before, and is this being maximised insofar as the department is concerned. Is that correct?

HON A P MONTEGRIFFO:

Sir, there is liaison and I hope there will be less work for the Public Health Inspectors, but fulfilling my functions, I hope to keep the Public Health Inspectors in their posts before the Minister for Housing himself fulfills the necessary requirements in accordance with the Public Health Ordinance.

HON J BOSSANO:

Mr Speaker, does the Honourable Minister realise that we will have the same problem prosecuting the Honourable Mr Zammitt as he had prosecuted the Honourable Colonel. Because presumably if they still don't do it there will be little he can do about it. But I am thinking of the very routine work that is so time consuming in inspection of Government properties, in Public Health Inspectors time, where I think there is an area where the Warden Structure, if this o pportunity is taken, could be used perhaps with better results than are being obtained from the Public Health Department. Not because of any deficiency of the Department but because the people in the Warden Structure are more intimately concerned with the problem.

HON A P MONTEGRIFFO;

People have been accustomed to calling in the Public Health Inspector and I would not like to give a very strong directive that from now on they should go to the Wardens. I think that it will mean less burden than the Public Health Inspectors generally have got on their shoulders, and that is enough especially with the limited staff that we have got.

Other Charges were agreed to and passed.

Head 10, Judicial - (1) Court of Appeal

HON ATTORNEY-GENERAL:

Mr Chairman, the funds voted for the Court of Appeal this year are the same as last year. As members opposite may be aware it is quite impossible to indicate how many times the Court of Appeal is going to be called, and in practice we try and provide for two visits of the Court of Appeal. If there are no appeals then of course the money is saved: if there are more than two visits there has to be a supplementary.

This was agreed to and passed.

(2) Supreme Court (a) Personal Emoluments.

ſ.

HON ATTORNEY-GENERAL:

Mr Chairman, the big increase this year is the sum of £6580 which is the gratuity of the Chief Justice under the terms of his contract since he has been here. He is entitled to a gratuity and in 11 years no gratuity has yet been paid. This gratuity is calculated on the term of his contract for the time when he retires towards the later part of this year.

HON J BOSSANO:

Mr Chairman, is the Government taking account of these gratuities when it is looking at the recommendations of the Morgan Report which seems to have

MR SPEAKER:

No, no. I think this is a gratuity which is a contractual commitment by the Government in accordance with the terms of employment that the Chief Justifewas given when he came out to Gibraltar.

HON J BOSSANO:

This is precisely what it is all about, Mr Speaker. Because in fact the Morgan recommendations appear to have been drafted ignoring the gratuities, and if the Government is going to carry on paying these gratuities, are they going to adjust the Morgan recommendations to take this into account.

MR SPEAKER:

No, no, with due respect I cannot allow that. What we are talking about is that you are being asked to vote an amount which has been committed by Government and their contractural relationship between Government and the particular individual. It is a particular sum which has been computed by the terms of an agreement decided some time ago. It is not a question of voting a sum go be applied for gratuities, it is a question of voting a sum which is a firm commitment under the contract.

HON J BOSSANO:

Yes, Mr Speaker, to an individual who has had a salary increase recommended, and the salary that has been recommended takes no account of the fact that we are now going to vote him this gratuity. I am therefore asking the Government

MR SPEAKER:

It is an amount being voted to meet a contractual commitment entered into by Government with an individual some time ago. It doesn't take into consideration Morgan, Scamp or anything else. It must be obvious. , I am talking without knowledge, that it is a contractual commitment which Government entered into years ago with a person whose service is coming to an end, and, therefore, it has got to meet this commitment.

1

HON J BOSSANO:

Before I vote this money, Mr Speaker, to meet this contractual agreement, I want to know from the Government whether the fact that this money will have been paid to this particular individual who is an occupant of a post which has had an increase recommended, to my knowledge without taking account of this gratuity that is being voted, since there is no mention of it in the Morgan Report, I am asking the Government whether when they look at the salaries which are going to be paid retrospective to 1974, they will take account of the fact that are giving him this gratuity as well.

HON A P MONTEGRIFFO:

Sir, I think one must look at the thing in its proper perspective. All officers on contract are entitled to a gratuity which is based on their salaries. If we were to accept Morgan and the Chief Justice were to get more, this figure would have to be amended to take that into account. But this is based on the salary he is getting now. Every officer is entitled to a gratuity in accordance with their contract.

HON J BOSSANO:

Obviously I shall vote against this, Mr Speaker.

MR SPEAKER:

What the Honourable Member is now asking, which he is entitled to ask, is whether when the new terms have been considered, will the question of the gratuity be taken into consideration vis a vis the recommendations. Is that correct?