

HOUSE OF ASSEMBLY  
MEETING OF 17 MAY 1977

QUESTIONS

AND

ANSWERS

(132 TO 206)

The Hon G T Restano

Will Government state which Department is responsible for ensuring compliance with the requirements of the Trade Licensing Ordinance?

Answer:

The Hon the Financial and Development Secretary

All investigations concerning breaches of the Trade Licensing Ordinance are carried out by senior Customs Officers.

SUPPLEMENTARY TO QUESTION NO.132 OF 1977

HON G T RESTANO:

Mr Speaker, How many officers are involved?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I don't know, I didn't bring the information with me.

HON G T RESTANO:

Mr Speaker, I would have thought that that came up as a natural follow up to this question. I think the Hon Financial and Development Secretary should reply to that question.

HON J BOSSANO:

Could I ask the Financial and Development Secretary whether he considers that the number which he doesn't know are involved are adequate for the appropriate implementation of the Ordinance?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, that is an entirely different question.

HON J BOSSANO:

Mr Speaker, does the Hon Member know how many investigations are regularly carried out?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Again that is yet another question. I was asked who was responsible and I have answered the question.

HON J BOSSANO:

Mr Speaker, how does the Hon Member know that whoever is responsible is doing it adequately if he hasn't got the foggiest idea of what is going on?



HON G T RESTANO:

Mr Speaker, do the officers involved have any other duties apart from being responsible for the compliance of the Ordinance?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Mr Speaker, they do, they are customs officers. This is one part of their general duties and general responsibilities.

HON G T RESTANO:

Mr Speaker, I go back to the other question, that is why I asked how many officers were involved and that is, if they have other duties are there enough officers on these responsibilities for the responsibility to be correctly carried out?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

As far as I am aware, Mr Speaker, there have been no allegations or suggestions that the staff of the Customs Department needs strengthening in order to carry out the work and responsibility which is placed upon it.

HON G T RESTANO:

Mr Speaker, when there are any reports from these officers who do they go to?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I should imagine that they are sent in the first place to the Controller of Customs.

HON G T RESTANO:

And from there what action would be taken after that?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The Controller of Customs would make his recommendations through me to the Establishment Department if it was a case of increasing the staff.

HON G T RESTANO:

I am referring to reports from these officers on offenders to the Ordinance.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

They, Mr Speaker, go to the Chairman of the Trades Licensing Committee who then deals with the matter in consultation with the Legal Department.

HON G T RESTANO:

Mr Speaker, the Chairman of the Trades Licensing Committee is in fact the Financial and Development Secretary or his deputy is that not correct?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The Finance Officer for the time being is the Chairman.

HON G T RESTANO:

Mr Speaker, could the Financial and Development Secretary say how many reports there are? Would it be one a week, one a month, one every three months, one every six months? How many reports normally would come in reporting offenders of the Trade Licensing Ordinance?

MR SPEAKER:

We are now expanding the orbit of the question but if the Financial and Development Secretary is prepared to answer the question I have no objection.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, the original question has been answered. If the Hon Member wishes to pursue this and expects to have available to him for verbal answer a mass of other detail then he should have spelt that out in the original question when it could have been answered.

HON J BOSSANO:

Mr Speaker, is the Financial and Development Secretary then satisfied that all the requirements of the Trade Licensing Ordinance are being adequately complied with? The question asks "for ensuring compliance with the requirements".

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Until I have <sup>been</sup> advised that there have been complaints that the Trade Licensing Ordinance is not being complied with, yes, I must say that I am satisfied with the way it is being handled.

HON J BOSSANO:

Then we can take it, Mr Speaker, that he has received no indication from the Department responsible for compliance that the requirements are not being complied with.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I have not received any such complaints.

HON J BOSSANO:

And therefore we must assume that every trader in Gibraltar displays his licence as required by the Trade Licensing Ordinance.

MR SPEAKER:

No, that does not come within the orbit of the question. Next question.

The Hon Major R J Peliza

Can Government state if prospective tenderers have to state their names and addresses compulsorily when obtaining a tender form?

Answer:

The Hon the Financial & Development Secretary

Not always. Tender forms are readily obtainable from Government Departments but where specifications drawings or other documents are supplied to prospective tenderers these are required to state their names and addresses and for the larger projects they are required to make a deposit as guarantee.

SUPPLEMENTARY TO QUESTION NO.133 OF 1977

HON MAJOR R J PELIZA:

Mr Speaker, is that absolutely necessary? Is the Financial and Development Secretary aware that it is possible that certain tenderers may know who are tendering and therefore so adjust the tender according to those who are bidding. Is it possible to do this in a way that other people don't hear about it?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Is it possible to do what in a way so that other people don't hear about it?

HON MAJOR R J PELIZA:

Well, either not required to give name and addresses or if they are required on certain specific tenders to do it in such a way that the matter is treated confidentially.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I am sorry, Mr Speaker, but I don't follow the Hon Member's reasoning.

MR SPEAKER:

The questioner is asking a simple question. Is it possible on those occasions when names have to be given, for the names to be given in such a manner that confidentiality would not be breached and that other tenderers will not therefore get to know the names of the competitors.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, I have no cognisance that in fact this is happening now but I will certainly make it my business to look into it. As I say they draw the forms and if they are required to give their names and addresses it is recorded in a Government document. That is not public property but I will certainly look into the matter.

HON MAJOR R J PELIZA:

In other words would the Financial and Development Secretary agree that it is a good idea to have confidentiality in this matter and that he will do his best to see that that is enforced?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, I certainly agree that all matters in connection with tenders are strictly confidential.

HON MAJOR R J PELIZA:

Thank you.



The Hon Major R J Peliza

Can the Government explain if all Government purchases and projects above a certain sum are put to tender and the procedure followed when they are and when they are not put to tender?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

SE, with your permission I propose to answer this question and question No.137 together.

MR SPEAKER:

The <sup>Questioner</sup> of No.137 is the Hon J Bossano who has asked:

"Can Government state whether all Government work done by private firms is put to tender and if so whether invitations to tender are made public in all cases."

Are you in agreement, Mr Bossano, that both questions should be answered together?

HON J BOSSANO:

I don't think, Mr Speaker, they seek identical information but I have no objection.

Answer:The Hon the Financial and Development Secretary

It is Government policy to invite tenders for stores and services as far as this is practicable. This policy cannot of course apply to purchases channelled through the Crown Agents who follow their own procedures.

There are two exceptions to this policy in the case of stores. Firstly, the Financial and Development Secretary may authorise the purchase of any stores outside the tender procedure where he is satisfied that urgent considerations justify such a departure from established policy. In such cases the necessary action is taken to ensure the best price is obtained. Secondly, the tender procedure is not followed where the value of the stores is less than £250 or less than £1,000 in the case of the Public Works Department.

The procedure for the actual purchase of stores, either from a contractor or any other supplier, is straightforward. The supplier is provided with a stores order form which is in due course presented for payment with the relevant invoice.

Tenders are invited by publication in the local press and in the EEC Journal when the estimated cost of any project exceeds about £400,000. The latter is a Community requirement. There are occasions however when due to the specialised nature of the works or services involved the tenders are only invited from firms known to provide such services.

A Tender Box is kept at the Government Secretariat where the sealed tender envelopes are placed.

The tenders are opened by the Secretary of the Tender Board and the Principal Auditor at the appointed time and immediately referred to the departments concerned for detailed examination and recommendations. Once these are received the tenders are considered by the Tender Board which consists of the Financial and Development Secretary as President, the Principal Auditor as permanent member and the Head of the Department concerned. The Board's recommendations are then referred to the Deputy Governor for approval.

In the case of minor works where the cost does not exceed £5,000 the Director of Public Works may call for and accept tenders directly provided that quotations are invited from all likely contractors and that the tenders are considered by a departmental board of which he is President. The Board is responsible for seeing that the quotation accepted is the most advantageous to Government. Tenders for printing works are dealt with in a similar manner by the Administrative Secretary.

Tenderers are advised whether or not they have been successful.

SUPPLEMENTARY TO QUESTION NO. 134 OF 1977

HON J BOSSANO:

Mr Speaker, on the question of minor works which is more relevant to my question, does the Director of Public Works make the invitation public for under £5000?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I am sorry. Could the Hon Member repeat the question.

HON J BOSSANO:

Does he invite individual firms to submit tenders publicly or does he choose which firms he asks to tender?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

To be quite frank I can't recollect whether those tenders are also made public or whether it is done on a selective list. What I could say, however, is that as I think I indicated possibly before when this question in general was raised of selective lists that the whole tender procedure is being reviewed and certainly in my opinion there is no reason why all tenders, all tenders, should not be properly advertised.

HON MAJOR R J PELIZA:

With regard to the firms known to provide a special service and also in the cases of likely contractors, does Government hold a list somewhere which can be seen about these special services and of the work that likely contractors are likely to tender for? Is this available for any newcomer or for any firm that may like to bid in that direction?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

In a case of a bona fide inquiry by some specialist firm I would have thought that information could have been made available, yes.

HON MAJOR R J PELIZA:

What I am driving at is that there might be certain items which Government buy or projects that Government undertake which are unknown to certain firms and because of that reason they are not bidding. Could it be possible to have some sort of a list which people likely to be interested in tendering for any particular project of the Government or any particular services be able to see quickly without having to write in any form but simply in very much the same way as he would see it in an advertisement though I realise that you cannot possibly be advertising every time.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, the question of special services as far as I know is rather, to give an illustration, in the nature of, for example, drilling, rather than the provision of ordinary types of stores and spares and ordinary construction work. For example we shall probably have to go only to specialist firms when we get to the piling for the Port development scheme and this sort of thing. This, I think, speaks for itself.

HON MAJOR R J PELIZA:

I accept that. But what about likely contractors? This is another instance. I don't know whether he is referring to the same thing. It was very difficult for me anyway to understand the difference between services and contractors. Services really could be anything. I would have thought that what he was saying referred more to contractors than services but I wonder if he could give us an indication about the likely contractors and what they do?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I am sorry but I am not hearing very well this morning.

MR SPEAKER:

What do they do in what respect?

HON MAJOR R J PELIZA:

Mr Speaker, there are two separate things as I see it, that is firms that are known to provide services and then likely contractors. To me those are two different things. He has already explained the one of servicing, an example of which is drilling and I wonder whether he can give us an indication of what the likely contractors do?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Mr Speaker, I can't give an actual illustration but let me put it this way. There is a very much wider field obviously, if the estimated value of a contract is, let us say, below £100,000 and it involves generalised building and construction as between another contract requiring, perhaps, specialised knowledge of reinforced concrete the value of the contract of which is £1m plus. Quite clearly first of all you have two entirely different kinds of work, one very much more complicated than the other and the other thing, of course, is that one has to take into consideration the capacity of the firms that you are dealing with. A relatively small firm could deal with £100,000 worth of work but you need quite a large organisation and considerable financial back-up to deal with a contract of, say, £2m. This is what is meant there by specialised contractors.



HON MAJOR R J PELIZA:

I fully understand that now, Mr Speaker. And, finally, the question of purchases below certain sums which apparently are bought directly by the Department. Again I wonder if in this instance some sort of list could be available for anyone to see at any time in case any firm could become interested in trying to sell these items to the Government and so make sure that they are approached as well as others and I wonder if in this instance some sort of list could be made available as to the sort of recurrent things that the Government is likely to purchase?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, in the case of the larger departments this is generally done on a running contract where the Department which is using regularly considerable quantities, for example, of soap, washing powder and this sort of thing. People are invited to tender for six months or 12 months supply. The £250 by and large is used for odds and ends the need for which suddenly arises. Just to give a simple illustration. Supposing for the sake of argument there are three glasses in the office and the cleaner knocks them off and breaks them all they can go out the following morning and buy them and replace them without going to tender.

HON J BOSSANO:

Mr Speaker, could I just ask the Hon the Financial and Development Secretary if he has some idea of the time left for the review of the tendering process and when the new procedure is likely to be introduced? How much longer they are going to be reviewing?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, as I suspect Hon Members know, I have not been in my office for the last six weeks. I can assure the Hon Member that this is one of the tasks which I shall address myself to as soon as I am free from answering questions.

MR SPEAKER:

Next question.



The Hon M Xiberras

What use has Government made of computer services available in Gibraltar and what use does it intend to make of them in the future? Will Government ensure that there is genuine consultation with public sector employees that might be affected?

Answer:

The Hon the Financial and Development Secretary

The Government has so far made very little use of computer services available in Gibraltar. In fact, it has been used by the Income Tax Office on one occasion when it became necessary to re-print the tax tables as a matter of urgency following an amendment to the Income Tax Ordinance during the last Budget Session.

Regarding future use of this service the Government is currently investigating the possibility of acquiring its own computer. In this connection a seminar was recently organised by IBM to acquaint senior officers from several departments with the various operations which the computer can perform and with the proper management approach to computer services. The President of the Gibraltar Government Clerical Association was invited to attend the seminar as an observer so the stage has already been set therefore for full consultation with representatives of Government employees who might be affected if the introduction of a computer in the Government system is finally adopted.

SUPPLEMENTARY TO QUESTION NO.135 OF 1977

HON M XIBERRAS:

I thank the Hon Member for that answer. Could I ask him whether the use that was made of existing facilities was satisfactory.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, it was highly satisfactory. In fact it would probably have been impossible to produce the answers in any other way but by using the computer.

HON M XIBERRAS:

Mr Speaker, on the question of the possibility of the Government purchasing its own computer, is the firm that run the seminar the only firm that has been advised of Government's interest in this direction?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, it is rather the other way round. They were the ones who made the contact not Government contacting them. They came out trying to sell us the computer.

HON M XIBERRAS:

Mr Speaker, would the Hon Member bear in mind that some research was done on this for quite some time before and that there are other, I believe, interested parties in this. And, secondly, Mr Speaker, through the invitation of the President of the GGCA I hope that the Government does not deem that its obligation to consult the staff has now been satisfied. Am I right in saying that?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Of course. We shall need the full cooperation of the staff in order to make the computer work anyway because it is a new technique in which a number of grades will be directly involved so I think the Hon Member can rest assured that the staff will be taken along if, indeed, the Government does decide to instal its own computer.

HON M XIBERRAS:

Mr Speaker, could I ask the Hon Member whether there is any possibility of reduction of staff?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I am prepared to put my head on a block and say that if there is a reduction of staff in relation to any particular facet of work I would have thought we have no problem whatsoever in absorbing that elsewhere in the Government machine where some of the seams are looking a little bit stretched.

HON M XIBERRAS:

Will the Hon Member ensure that there is full consultation with the interested parties in that respect particularly?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Naturally, Mr Speaker.

HON M XIBERRAS:

Mr Speaker, since the question refers in the second half to the public sector employees, can the Hon Member give an indication of the possibility of use of computers by other public sector employers?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I take it the Hon Member is looking down the road a little. I would hope that if we have some spare time on the computer we can sell it to them and make a bit of profit or recover some of our losses.

HON M XIBERRAS:

Will the Hon Member ensure that if the Gibraltar Government has any part in the selling of a computer or computer time to other public sector employees that the employees of these particular employers other than Government are also fully consulted in advance about the possibility of changes.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Sir, it is up to the person using the computer to do that. I would certainly not expect a private firm, for example, in relation to the existing computer coming along to the Government and saying; "Have you ensured that all your staff have been consulted" if we go out and ask to buy time which is what we did to the Income Tax.

HON M XIBERRAS:

I am talking of Government as Government, Mr Speaker, not as Government selling computers or computer time. Will Government exercise its obvious responsibility to ensure that any major employer in the public sector if it is going to make use of computers in the future does have proper legitimate consultations with its staff?

MR SPEAKER:

We are now getting to the stage when Government has computers and it is going to let out time to private firms. Let us get back to the orbit of the question.

HON M XIBERRAS:

Mr Speaker, could I ask the question again? Will Government ensure that there is genuine consultation with public sector employees, not necessarily Government, public sector employees that might be affected?

MR SPEAKER:

By the use by Government of private computers but not by the fact that Government will instal computers and then let out time. We are extending the orbit of the question

HON M XIBERRAS:

It is a fine distinction, Mr Speaker, but I have put it to the Government, will it ensure, as Government that there is consultation in all private sector employees?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, we can only speak for the Government and the Government public sector. What happens in other employment sectors is a matter for those sectors.



The Hon M Xiberras

Has there been a cut down in overtime in respect of industrials in the public sector?

Answer:

The Minister for Labour & Social Security

Insofar as the Gibraltar Government is concerned, there has been no reduction.

SUPPLEMENTARY TO QUESTION NO.136 OF 1977

HON M XIBERRAS:

Is the Hon Member aware, in his functions as Minister for Labour and a member of the Government whether this is also true, and I hope that it is, of the other public sector employees?

HON A J CANEPA:

I am not answerable, Mr Speaker, for the other public sector employees. Obviously I do keep my ears to the ground and I have a fairly good indication of what is going on but I am not prepared to lay myself open in this House to Supplementaries on matters for which I have no responsibility and therefore for supplementaries with which I will not be able to deal.

HON M XIBERRAS:

Is the Hon Member or is any other Hon Member opposite responsible for the Statistics Office?

HON A J CANEPA:

I don't mind answering that one, Mr Speaker. Insofar as employment surveys are concerned I am responsible and in the employment surveys there are tables about earnings, the number of hours being worked, and so on. The information is available.

HON M XIBERRAS:

Would the Hon Member not say that it is possible to identify movements in overtime in the public sector as a whole and could the Hon Member not answer my original question now.

MR SPEAKER:

No, I am ruling it out of order. The Minister is not responsible for the other public sectors.

HON M XIBERRAS:

I am not saying that he is responsible for the overtime but he is responsible, I would have thought, for knowing what the movements in overtime are by virtue of the fact that there is a government Statistics Office which does collate this information.



MR SPEAKER:

Question time is for the Opposition to obtain information on those ministries for which the Ministers are responsible and nothing else.

HON M XIBERRAS:

Mr Speaker, that is why I am asking the Hon Member who apparently is responsible for the compilation of the employment surveys.

MR SPEAKER:

The answer has been that the information is available and you can refer to the information.

HON A J CANEPA:

The information is available. The only trouble, Mr Speaker, is that only today I have tabled in the House the Employment Survey Report for October, 1976. We are now in May and he is asking me, in May, has there been a reduction in overtime. Has there been a reduction in overtime in the last two months, in the last three months? I could tell him from the Employment <sup>Survey</sup> Reports whether there has been a reduction in overtime as between April 1976 and October 1976, but I wouldn't have thought that in May 1977 he would be particularly interested in that information. I would have thought that he would have wanted more up to date information which I do not have.

HON M XIBERRAS:

Mr Speaker, this is a different story. If the Minister doesn't have it I appreciate his position.

MR SPEAKER:

May I say that even if he had it he is not liable to give it.

HON A J CANEPA:

May I add that I do not have it because the April 1977 Employment Survey Report is not yet available and therefore the only way that I could get some information for the Hon Member would be to get in touch with the Official Employers.

MR SPEAKER:

If the Hon Member will refer to Standing Order 17, subsection (XV) which reads: "a question shall not be asked seeking for information set forth in accessible documents or ordinary works of reference." I think the statistics information is accessible.

HON M XIBERRAS:

After a while, Mr Speaker, they are but with movements of this kind sometimes it is necessary to ask questions in between surveys or in between published documents. This was the object of my question.

Would the Hon Member then bear in mind that the overtime factor is an important one as regards the industrial situation and will he keep an eye on developments in the public sector?

HON A J CANEPA:

I am doing so.

HON M XIMENES:

Well, Mr Speaker, perhaps in doing so he might be able to provide the information which I require.

MR SPEAKER:

Next question.

No.137 of 1977

ORAL

The Hon J Bossano

Can Government state whether all Government work done by private firms is put to tender and if so whether invitations to tender are made public in all cases?

(Answered by the Hon the Financial and Development Secretary together with Question No.134 of 1977).

The Hon J Bossano

Can Government state what were the Income Tax receipts for 1976/77 and give a breakdown to show the amounts collected through P.A.Y.E. in each of the following areas: M.O.D., D.O.E., Gibraltar Government, Private Employers?

Answer:

The Hon the Financial & Development Secretary

The Income Tax receipts for 1976/77 so far brought to account are £5,132,463.19.

The amount collected through PAYE was £3,550,744.66 made up as follows:

(a) MOD	£ 746,381.21
(b) DOE	50,058.00
(c) Gibraltar Government	1,395,946.24
(d) Private Employers	<u>1,358,359.21</u>
	<u>£3,550,744.66</u>



SUPPLEMENTARY TO QUESTION NO.138 OF 1977

HON J BOSSANO:

Mr Speaker, could I ask the Hon Member whether the receipts from MOD and DOE understate the true yield of PAYE for the year in question as a result of the CPSA dispute?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I don't think they do because when the 1976/77 revised estimates were prepared we had a figure from the Finance Manager of the Dockyard that he would be paying over before the end of the financial year, a sum of £300,000. In point of fact by the end of the financial year he had paid over £375,000 that was £75,000 more than he had previously advised and in the case of DOE we didn't take into account any payments coming forward when we did the revised estimates for the simple reason that we had just no information at all and there was no assurance that the payment was in fact going to be made. In the event they have made a payment of £35,000. It was made on the 2nd of May and it was unsupported by any documentation so it is impossible to know whether it is in respect of the 1976/77 financial year or indeed what it is in respect of other than it is an income tax payment.

HON J BOSSANO:

Mr Speaker, is the Financial and Development Secretary aware that employees in MOD and DOE are being paid an approximate amount from which there is, in fact, no deduction of tax made and that this has been going on for something like 7 months now? Would he not expect this to be reflected in underestimation of tax yields?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I wasn't aware that they were being paid at all. I can't answer that question but certainly any payment made to any employee by an employer should have a deduction in respect of PAYE.

HON J BOSSANO:

I see. Well, Mr Speaker, is the Financial and Development Secretary then saying that the MOD and DOE are acting illegally in not making any deductions from the payments that are being made?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I would need of course to refer the entire circumstances for legal advice before I either answer yes or no, but certainly I can say that the whole basis of the PAYE system is of course that payment of emoluments or allowances which is not otherwise expressly exempted from taxation is taken care of at the time of payment. That is the whole object of the system.

No.139 of 1977

ORAL

The Hon J Bossano

Can Government state why Gibraltar is the only part of the sterling area to which the taking of sterling notes in excess of £25 is prohibited?

Answer:

The Hon the Financial & Development Secretary

The reason for this is obscure and the matter is being pursued with the relevant authorities in the United Kingdom at this present moment, Sir.

SUPPLEMENTARY TO QUESTION NO.139 OF 1977

HON J BOSSANO:

Will the Hon the Financial and Development Secretary report back to the House whether he has any success with his investigations?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

If that is the expressed wish of the House, yes.

No.140 of 1977

ORAL

The Hon J Bossano

Can Government explain why legal tender has been refused in payment of duty at the Transit Shed at the Airport since January this year?

Answer:

The Hon the Financial & Development Secretary

Yes Sir. The acceptance of legal tender at the Airport Transit shed was one of the points mooted in the discussions that were held with the Chamber of Commerce prior to the introduction of the pre-entry system. It was then agreed that the acceptance of cash in payment of import duty at the airport transit shed could have led to delay in the clearance of goods. In any event the payment of import duty at the shed would not arise if pre-entry were to be made at Waterport. The decision was further influenced by the fact that the shed would be used mainly by freight operators who normally pay by cheque. It has since been recognised that there is a case for the acceptance of cash as well as cheques, in payment of import duty and arrangements have been made accordingly. These arrangements were introduced on the 2 May 1977.

SUPPLEMENTARY TO QUESTION NO.140 OF 1977

HON J BOSSANO:

Mr Speaker, if it was made a requirement that payment should be made by cheque would the Hon Member not agree that those unfortunate people who did not have a bank account would have their entry clearance even more delayed by the requirement to have to open a bank account before they could pay for the goods.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, there is no doubt at all that there was an underestimation of the facility which should be given. However, we have only collected since it came into operation a fortnight ago, the princely sum of £205.

HON J BOSSANO:

Mr Speaker, I take it that the Hon Member agrees that it would have been better to encourage the use of cheques but not to make it a requirement.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

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Certainly.

No.141 of 1977

ORAL

The Hon J Bossano

Can Government state why electricity and water bills still do not show the date on which meters have been read?

Answer:

The Hon the Financial & Development Secretary

In March 1976 in reply to a similar question from the Hon Member (No 49 of 1976) I explained why it had not been possible to show the actual date of readings on the electricity and water demand notes. I also expressed the hope that once the initial difficulties in implementing the new system which had become necessary with the introduction of new accounting machines were overcome, it would be possible to print the exact dates and to issue the demand notices within a few days of the actual meter readings.

This has always been our aim, but repeated stoppages due to industrial action by both the industrial and clerical grades, have not helped our efforts in this direction. The Department continues to work under considerable pressure and it has not yet been able to bring all records fully up to date.

For as long as billing continues in arrears, it will not be possible to print the actual date of reading. However, I reiterate that the printing of the actual date of meter readings is still the aim and that this will be done just as soon as possible.



SUPPLEMENTARY TO QUESTION NO. 141 OF 1977

HON J BOSSANO:

Mr Speaker, I wish the Hon the Financial and Development Secretary would explain where these repeated stoppages have taken place, for example, in the last six months or in the last nine months.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, the stoppages that I am referring to go back at least six months but the effects of that on the bills are still being felt. It is a fact, we may deplore it, but it is a fact.

HON J BOSSANO:

Mr Speaker, is the machine equipped to print the date on which the meter has been read?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I believe, Mr Speaker, that it is but I will have to get technical confirmation. I believe there is a column which could be used on the bar but I will have to check that.

HON J BOSSANO:

And is in fact the Hon the Financial and Development Secretary saying that because there is a backlog of bills there isn't time to print the date, that the process will take longer if the date was printed as well? I cannot understand, Mr Speaker, the relationship between the industrial action that took place over 6 months ago and the inability to put the date on which the meter was read on the bill so that people can check the figures for themselves.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, all I can do since this is a matter which I do not deal with every day and it is to some extent technical and to some extent organisation, all I can do is to do my best to obtain further information and make it available to the Hon Member and to the House if the House wishes it.

HON M XIBERRAS:

Mr Speaker, would the Hon Member also see whether the non-printing of the dates and the consumer not knowing when his meter has been read does not result in a bigger bill because due allowances has not been made for the primary units. I asked this question, I think, during budget time.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

If the date of meter reading is stated on the bill I don't see how this can affect the value of the bill if it is a one month period. It is the cost of water or electricity consumed.

HON M XIBERRAS:

That is what I am asking him to ensure, Mr Speaker, that it is a one month period because sometimes we get two months or one month and a bit

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included in the same bill and you don't get your due allowance of primary units for that particular month. I am talking from personal experience, Mr Speaker.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, I will certainly look into this as part of my undertaking to the Hon Mr Bossano.

The Hon J Bossano

Can Government state the number of the new currency notes of each denomination that have been ordered?

Answer:

The Hon the Financial & Development Secretary

No Sir. For security reasons the Government is not prepared to state the number of the new currency notes that have been ordered and moved from London to Gibraltar. This is common prudence and is the usual practice where large amounts of money are involved.

SUPPLEMENTARY TO QUESTION NO. 142 OF 1977

HON J BOSSANO:

Mr Speaker, can the Financial and Development Secretary explain how in stating the number and not, for example, the date of any movements or the date of arrival in Gibraltar, there is a security risk?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Mr Speaker. If you state the number you know the value and if the value is sufficiently big then there are many interests in the world who will only be pleased to know. I would remind the House of I think it was £3m which was removed not so very long ago from Heathrow and this kind of information is of interest to those people who are interested in obtaining large quantities of money by illegal means. That is all there is to it.

HON J BOSSANO:

But, Mr Speaker, surely the total of the value of the notes that may have been ordered is completely irrelevant.

MR SPEAKER:

It is just a matter of policy and the Government has said that for security reasons they are not prepared to disclose the amount. You are asking whether they will give you the information and they have said that they will not give you the information and they have stated the reason.

HON J BOSSANO:

But I am also entitled to question their judgement, surely?

MR SPEAKER:

You have done that. It is only after you have asked a question and you have been given another answer that I have said this. However, do ask.

HON J BOSSANO:

Mr Speaker, knowing how reasonable the Government is I am sure that if I can convince them through a series of supplementaries that they have made an error of judgment they will change their attitude like they do in everything else. Would the Financial and Development Secretary not agree that in fact the sort of information that he thinks would be valuable to potential hijackers is in fact the date on which there might be movements, the place where the money might be found, rather than the fact that the Government has ordered a £1m worth of £1 notes as opposed to £2m.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, the Hon Member is asking me to state an opinion which I cannot do and I am not prepared to add anything to the answer which I have already given.

HON J BOSSANO:

Has the Hon Member not already stated an opinion in saying that there is a security risk. Is it his opinion that there is a security risk?

MR SPEAKER:

No, that is a matter of judgement which I allowed you to ask a question on.

HON J BOSSANO:

Well, Mr Speaker, can I ask the Financial and Development Secretary who is responsible in the Government, whether it is the Financial & Development Secretary or another member of the Government who is responsible for taking a decision on whether there is a security risk or there isn't a security risk in a case such as this?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The decision was a Government decision.

HON J BOSSANO:

Mr Speaker, I would like to know which Minister in the Government is responsible.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, that does not matter, does it, because there is collective responsibility.



No. 143 of 1977

ORAL

The Hon J Bossano

Can Government confirm that tax demands relating to the year 1970/71 are currently being sent out to taxpayers?

Answer:

The Hon the Financial & Development Secretary

One original assessment and one additional assessment for the year 1970/71 involving two tax-payers were issued in March of this year.

SUPPLEMENTARY TO QUESTION NO. 143 OF 1977

HON J BOSSANO:

Is the Financial and Development Secretary then saying that this is the only one that is outstanding or are there likely to be more?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

We shall have to see whether the Hon the Leader of the Opposition should get one. No, as far as I am aware there are these two. One is an original and one is an additional.

The Hon M Xiberras

Will the Government make a statement of the death, apparently in Gibraltar waters, of the Romanian seaman Vergil Ionescu?

Answer:

The Hon the Attorney General

On the 13th February this year the M/V Tomis, a Romanian vessel, was in port. During the course of the afternoon a Mr Harold Hinde, a member of the Pentecostal Church, had been distributing tracts and New Testaments in Romanian to members of the crew whom he had seen in town. One of these people, a Mr Ionescu, subsequently came up to Mr Hinde and asked Mr Hinde to take him to the police. Mr Hinde took Mr Ionescu to the house of Pastor Cooper where the matter was discussed. Mr Ionescu was then taken to the Central Police Station.

2. At the Police Station he was first interviewed by the duty Inspector and, in answer to questions, said that he wanted to go to England or Spain. He further stated that he had no political background in Romania and that he was in no trouble on board ship. A Chief Inspector then arrived and carried on the interview.

3. To the Chief Inspector Ionescu repeated that he wanted to make a new life in Gibraltar and subsequently in England and that he was asking for political asylum. In answer to the Chief Inspector's questioning he reiterated that he was not in any danger in Romania and that in course of time he would return to Romania when the policies of that country changed. After considering the answers which he had given it did not appear that he could qualify for political asylum and this was explained to him.

4. Mr Ionescu accepted this and decided to return on board; he expressed gratitude to the police for having listened to him. He then said that he would be in trouble when he returned as he was supposed to have been back on board at 5 pm and would have to give some excuse for having missed the duty launch back to the ship. It was suggested that he might say he had had too much to drink whilst ashore and for this reason had missed the boat. Ionescu agreed with this suggestion but said that as he had only had one or two drinks whilst ashore this would not be sufficient to persuade his officers he was drunk and he asked to be given some whisky. This was given to him, three whiskies over a period of half an hour, and he was then taken to Waterport to go back to his ship on the Bland's launch. It was, however, too rough for the launch to make the trip and Ionescu was brought back to Central Police Station at about 9 pm.

5. At about 10.30 pm three officers from the Tomis arrived at Central Police Station. It was explained to one of the



officers that Ionescu had been found drunk and that they could take him back to the ship. Ionescu left the Police Station with the three officers of his own volition and without needing any assistance.

6. Next day at about 8.00 a.m. a life jacket was seen in the sea near the North Mole with an apparently lifeless body in it. The body was removed from the sea and taken ashore. A doctor was called: he examined the body and said life was extinct: the body was taken to St Bernard's Hospital where a post mortem was carried out. The cause of death was asphyxia due to drowning. The police carried out investigations among, inter alia, members of the crew of the Tomis. An inquest was held and an open verdict returned.

SUPPLEMENTARY TO QUESTION NO 144 of 1977

HON M XIBERRAS:

Mr Speaker, I thank the Hon and Learned Member for that lengthy statement. Is the Hon Member saying that Mr Ionescu at one particular time said that he had no political background and that this was the reason why the police decided that he was not entitled to political asylum?

HON ATTORNEY GENERAL:

The principal consideration in deciding whether to grant political asylum is whether or not the individual is suffering persecution or his life or freedom is in danger in his country of origin. This is in accordance with the Refugees Convention of 1951.

HON M XIBERRAS:

Mr Speaker, during the subsequent meetings that apparently took place and subsequent persuasion of the individual not to press his point, was the decision taken solely by officers of the police force. I ask this question bearing in mind that the Attorney General has detailed the police officers that questioned or spoke to Mr Ionescu?

HON ATTORNEY GENERAL:

As far as I am aware this did not go outside the Police Station. I think, if I am misquoting the Hon Member, did he suggest that the police were pressing this man?

HON M XIBERRAS:

The word I used was "persuading".

HON ATTORNEY GENERAL:

There was no question of persuasion. He was listened to, it was explained to him that he did not qualify for political asylum, he accepted this and went back to his ship.

HON M XIBERRAS:

Mr Speaker, is the Hon and Learned Member aware of the report that appeared in the local newspaper "Panorama" on this.

MR SPEAKER:

The Hon Attorney General is not answerable for anything that appears in the press.

HON M XIBERRAS:

No, I said is he aware of it.

HON ATTORNEY GENERAL:

I do read the press and not just the sporting page.

HON M XIBERRAS:

Mr Speaker, would the Hon Member care to comment on any aspect of this report?

MR SPEAKER:

No, I mustn't allow that.

HON M XIBERRAS:

Well, he can answer yes or no.

MR SPEAKER:

But even then it is unfair. It is against Standing Orders to ask someone to comment on press reports.

HON M XIBERRAS:

Mr Speaker, would the Hon Member say whether in his view there is any reason to reopen this case and examine the actual cause of death and the reasons why the death came about?

HON ATTORNEY GENERAL:

I think not. There was a thorough investigation of all persons who could throw any light on what happened. All the members of the ship of course have left Gibraltar, they are not open to further investigation. The police did take statements from a large number of members of the crew in attempting to find out how Mr Ionescu had got into the water, with a life jacket on of course, and I am quite satisfied that no further investigation would throw any more light on how he got into the water.

HON M XIBERRAS:

Mr Speaker, is it then the case that the post mortem is in fact, in the Learned Member's mind, enough to establish the cause of death and the reasons why, I repeat, the reasons why this young man came to this sad end.



HON ATTORNEY GENERAL:

The post mortem established that the cause of death was asphyxia due to drowning, there is no doubt about that at all, and nothing more can be gained on this particular point. How he came into the water, that was left open by the Coroner and in fact it is clearly not possible to throw any more light on that. The Police carried out the investigation and there is nothing further in my opinion they could possibly have done.

HON M XIBERRAS:

Well, that is one aspect of it, Mr Speaker. The other aspect of it is the reasons why the young man actually met his death by drowning or however he did actually meet his death.

MR SPEAKER:

You have been given an answer to that. You have been told that no useful purpose would be served to investigate further the reason why he went into the sea because the crew is no longer in Gibraltar and there is no further evidence available.

HON M XIBERRAS:

I am asking him who carried out this investigation. Who carried out the investigations of the reasons why?

HON ATTORNEY GENERAL:

The police carried out the investigation. They carried out a lengthy interview of members of the crew, the Captain, the mate and I think about 10 or 12 other members of the crew to see whether they could throw any light on how Mr Ionescu got into the water and nothing that was said to the police could give any indication of how this happened.

HON M XIBERRAS:

In other words, the police do not know. Even till today they do not know why Mr Ionescu ended up in the water?

HON ATTORNEY GENERAL:

That is quite correct.

HON M XIBERRAS:

So there is, in fact, not a satisfactory solution to this particular case as far as the Police are concerned.

HON ATTORNEY GENERAL:

I think this is shown by the fact that the Coroner returned an open verdict.

HON M XIBERRAS:

Would the Hon Member not say therefore that there is reason for investigating further?

HON ATTORNEY GENERAL:

No. I am quite satisfied the police did all they could to find out but even if the ship were here nothing further would be discovered. But of course the ship is not here and it is entirely outside the jurisdiction.

HON M XIBERRAS:

Would the Hon Member say there was any connection between the fact that this man was refused political asylum under some rather rigid interpretation of the Convention the Hon Member mentioned, and the fact that he was found drowned shortly afterwards?

HON ATTORNEY GENERAL:

I am afraid I cannot possibly answer that question.

HON J B PEREZ:

Mr Speaker, may I ask the Hon the Attorney General to state who in fact took the decision that this man did not qualify for political asylum and, secondly, was he consulted as to the legal aspects of this matter?

HON ATTORNEY GENERAL:

I was certainly not consulted. I am not sure that it is necessary to name any particular police officer. It was the officer in charge of matters of this nature who is given certain guidelines and who decided quite clearly that Mr Ionescu did not qualify.

HON M XIBERRAS:

Mr Speaker, could the Member say whether this was brought to the notice of any other member of the Government?

HON ATTORNEY GENERAL:

As far as I am aware this was purely a police station matter.

HON M XIBERRAS:

Mr Speaker, have any representations been made subsequently about this matter to the Hon and Learned Member or to anybody in the Government expressing dissatisfaction with the knowledge that one has about this affair?

HON ATTORNEY GENERAL:

Certainly no representations have been made to me and as far as I am aware none have been made to any other officer of Government.

HON J B PEREZ:

Mr Speaker, does the Attorney General not agree that on matters of importance such as this he ought to be consulted before any decision is made?

MR SPEAKER:

No, that is a matter that must be asked from the particular department which has to do the consultation, not from the Attorney-General.

HON J B PEREZ:

Well, can I therefore ask who is responsible for the police on the Government side because surely, Mr Speaker, somebody must be answerable in this House for police actions, I would have thought.

HON ATTORNEY GENERAL:

I answer for the police in this House.

HON J B PEREZ:

Could I reiterate my original question. Does the Attorney General not consider it desirable that he ought to be contacted before any decision is made of such an important nature in future.

HON ATTORNEY GENERAL:

No, I am afraid I can't agree. There were no legal implications at all in this particular matter. This was purely a question of whether Mr Ionescu came within certain guidelines which had been laid down.

HON J B PEREZ:

So, Mr Speaker, it therefore required interpretation of an Ordinance.

MR SPEAKER:

No, we are not going to argue. I am afraid I am not going to allow that.

HON M XIBERRAS:

Is the Hon Member aware whether the Police Officer in charge of this refused political asylum on the grounds of this Convention which the Attorney General has quoted to the House today?

HON ATTORNEY GENERAL:

I do not know whether the police officer was aware of the existence of the Convention. He is aware of the guidelines which exist because of the Convention.

HON M XIBERRAS:

Was the Police Officer also aware of the reputation of Gibraltar of being liberal in granting political asylum.

HON ATTORNEY GENERAL:

I can't possibly answer that question.

HON M XIBERRAS:

Would the Hon Member not say that there have been many cases involving citizens of neighbouring countries where political asylum has been given and would the Hon Member not say that this is rather a delicate matter in the circumstances of Gibraltar and should the matter not have been referred to him and not been dealt with by somebody in the police station apparently not above the rank of Chief Inspector?

HON ATTORNEY GENERAL:

No, I would repeat that I don't think the thing should have been referred to me.

HON M XIBERRAS:

Does the Hon Member not agree that in the circumstances surrounding this case, bearing in mind the nationality of the man involved, this was indeed a delicate matter and would he not agree that this is something which somebody in the Government should have known about, be it the Deputy Governor, the Attorney-General or somebody?

HON ATTORNEY GENERAL:

No, I think it fair to say that this was a straightforward case, an application to stay in Gibraltar, the questions were put as to whether he was in trouble at home, was he being persecuted, was his life in danger. The answers to all this were, no, he just wanted to make a new life and in those circumstances it seemed to me and it still seems to me entirely right that the police officer could on his own initiative make the decision.

HON M XIBERRAS:

Conscious as we are, Mr Speaker, of the political asylum which is generally granted here with liberality, would the Hon Member ensure that in any future case of this nature instructions are given to the Police that the matter should be referred to a higher authority and not be dealt in the police station alone, a matter which has definite political implications?

HON ATTORNEY GENERAL:

I will certainly bring the Hon Member's views to the notice of the relevant authorities.

HON M XIBERRAS:

Mr Speaker, would the Hon Member not agree now after all these questions that there is a need to investigate what part the Gibraltar Police and Gibraltar itself has had in this matter?

HON ATTORNEY GENERAL:

No, I think the whole thing has been investigated very thoroughly and I don't think any further investigation could be of any assistance.

HON M XIBERRAS:

Mr Speaker, if indeed this Mr Ionescu was given whisky at the Police Station, was taken on board by the mate and was subsequently soon after found drowned with a life jacket on him, isn't this sufficient grounds for the police itself to be wary of any possible accusations that might have been made and isn't there reason now for further investigation to clarify this matter?

HON ATTORNEY GENERAL:

No.

HON J BOSSANO:

Mr Speaker, is it normal practice for the police to ply people with whisky?

HON M XIBERRAS:

Mr Speaker, I am not satisfied with some of those answers and I might pursue the matter on the adjournment.

MR SPEAKER:

Right, Next question.



The Hon J Bossano

Can Government state whether there are still cases of alleged unfair dismissal awaiting a decision by the tribunal?

Answer:

The Hon the Attorney-General

There is one case which has been heard by the Tribunal and in which a decision has not yet been given. This is the case to which I referred in a previous answer in March of this year when I informed the House that the Chairman of the Tribunal had indicated to the Department of Labour and Social Security that the decision would be given within ten days or so.

There are some six cases in which Chairmen have recently been appointed and which it is hoped will be heard shortly.

SUPPLEMENTARY TO QUESTION NO.145 OF 1977

HON J BOSSANO:

Could I ask the Hon and Learned Member about the one he referred to in an earlier meeting of the House. Is there likely to be a decision within the foreseeable future on that one?

HON ATTORNEY GENERAL:

I have absolutely no idea. The Chairman is aware of the interest of this House, he is aware of questions asked on two occasions by the Hon Member. On both occasions after the question appeared in the press, the Chairman indicated that the decision would be given, the decision has still not been given. I have no idea whether the Chairman will now proceed to give a decision or not. I agree it is highly unsatisfactory but I think it fair to say that there is nothing I or any member of the Government can do in this matter.

HON J BOSSANO:

Well, will the Hon and Learned Member perhaps be good enough to communicate to the Chairman the desirability of expediting a decision in this case.

HON ATTORNEY GENERAL:

I don't think that I can properly do so. It would be a case again of the executive interfering or purporting to interfere with the judiciary. I have no doubt that word will get back to the Chairman of the dissatisfaction which surrounds the delay on this matter.

No.146 of 1977

OR/L

The Hon M Xiberras

Will Government not agree that Hargraves Court playing area is in a state of some neglect and will Government undertake to improve it?

Answer:

The Minister for Education & Public Works

The fencing at Hargraves Court playing area is in a state of some neglect and repairs will be carried out.

The fencing material was ordered during the course of the last financial year. It has been received and stored at Queen's Stores, Waterport, as it will not be released due to the current industrial action against Official Departments

SUPPLEMENTARY TO QUESTION NO.146 OF 1977

HON M XIBERRAS:

Mr Speaker, whilst sympathising to some extent to the Hon Member opposite, would he bear in mind that some times the balls from the court tend, because of the lack of a fence, to hit windows in the vicinity.

HON M K FEATHERSTONE:

Yes, we have a certain gentleman who complains regularly.

HON M XIBERRAS:

Mr Speaker, I wasn't referring to the TGWU building. There are no windows facing that way at all.

The Hon J B Perez

Have Government supplied fire extinguishers to the temporary primary school at Varyl Begg Estate?

Answer:

The Minister for Education & Public Works

Yes. Dry powder fire extinguishers have been provided in accordance with the recommendations of the Chief Fire Officer.

SUPPLEMENTARY TO QUESTION NO.147 OF 1977

HON J B PEREZ:

Would the Hon Member say when they were, in fact, provided?

HON M K FEATHERSTONE:

They were already, I won't say on order, they were awaiting the Chief Fire Officer's recommendations I believe it was sometime after the question was put but has nothing to do with the question.

The Hon M Xiberras

Will the Minister for Education make clear to what extent the Society for Handicapped Children has contributed to the building of the new school at Glacis? Will he further explain whether the Government considers that it has a legal responsibility for providing an education for the handicapped up to school leaving age?

Answer:

The Minister for Education & Public Works

The Society for Handicapped Children has contributed £12,000 towards the building of the new Special School at Glacis. The legal responsibility of Government in providing an education for handicapped children of compulsory school age is defined in Part VIII of the 1974 Education Ordinance. The educational concept of the new Special School and the measures now in hand, to ensure that all handicapped children receive the education and care suited to them, are a reflection of our awareness and intent to fulfil the legal responsibility which we have assumed. I am at the present considering a letter from the Honourable Member on the subject of subsidising the education of handicapped children who cannot be catered for in Gibraltar and hope to be in a position shortly to answer him adequately upon this subject.

SUPPLEMENTARY TO QUESTION NO.148 OF 1977

HON M XIBERRAS:

Mr Speaker, I am grateful for the second half of that statement even if I must question the Hon Member on the first. Mr Speaker, am I right in saying that the Hon Member is of the view that unless the Society for Handicapped Children had contributed £12,000 then it would not have been possible to build the school?

HON M K FEATHERSTONE:

No, Sir, I do not agree that it would not have been possible. The building of the school was part of the plans that this Government put forward in the last Development Programme but as I said the offer of the £12,000, perhaps, was the catalyst that provided a little more incentive.

HON M XIBERRAS:

Then could he take this opportunity of enlightening Hon Members here about what he said on television in this respect?

HON M K FEATHERSTONE:

I think that what I said in television in this respect was that the £12,000 provided the catalyst.



MR SPEAKER:

If you need any vouching to that, I listened to the programme.

HON M XIBERRAS:

Mr Speaker would the Hon Member not agree, bearing in mind that the school cost over £100,000 that to take £12,000 for capital works when there is need for other things, other amenities, extras for handicapped children was not perhaps the right course to pursue.

HON M K FEATHERSTONE:

No, Sir, I can't agree with that. It was the Society for Handicapped Children themselves who offered the £12,000 and in fact were rather insistent on giving this contribution as they had this large amount of money which they had been saving towards the building of such a school.

HON M XIBERRAS:

I am aware of this, but perhaps the Hon Member could explain why they were so keen on this and then it would be more understandable from this side of the House. But would he not say that £12,000 compared to £100,000 merely gives the Handicapped Children Society a sort of claim for the building of the school rather than actual effective help.

HON M K FEATHERSTONE:

Sir, the Handicapped Children Society had collected this money from the public, they felt the best way that they could use it was to put back into some capital works that were of a lasting nature and the fact that they have contributed is a thing worthy of the highest commendation.

HON M XIBERRAS:

Yes, Mr Speaker, but is he aware that amongst parents of handicapped children there is also a great deal of dissatisfaction that this money should have been....

MR SPEAKER:

I think this dissatisfaction must be related to the Committee of the Society for Handicapped Children <sup>and</sup> not to Government.

HON M XIBERRAS:

In fact, Mr Speaker, other committees have been formed for the collection of funds and the funds have not gone to the Society for Handicapped Children precisely over this issue.

MR SPEAKER:

What I am saying is that the decision to give the money to the Government was that of the committee and they are answerable to their members and Government is not answerable.

HON M XIBERRAS:

I might put the question in another way. Could not Government have persuaded the Handicapped Children Society to use this for other things bearing in mind that it was only £12,000 out of a sum of over £100,000 bearing in mind the repercussion this would have amongst parents of handicapped children of which the Government was already aware. There is a Mr Pozo who wrote to the Minister some time ago on this issue.

HON M K FEATHERSTONE:

Sir, I think that the position was that the Handicapped Children Society who had received this money not simply from the parents but from the general public, were very insistent that they would like to build the school and they offered this money of their own volition and Government, I think, was not unwise in the slightest to accept it. They feel now they have a stake in the school.

HON M XIBERRAS:

Mr Speaker, is this the only Government building which has been subsidised in this way, to the Minister's knowledge, or are there others?

HON M K FEATHERSTONE:

I think the Hospital receives some money from the estate of the late Mr John Mackintosh. I believe that a whole wing of the hospital was built this way.

No.149 of 1977

ORAL

The Hon J Bossano

Has Government changed its policy regarding the employment of more construction trade craftsmen in the P.W.D.?

Answer:

The Minister for Education & Public Works

No. Government would like to recruit more competent and experienced craftsmen.

No.150 of 1977

ORAL

The Hon J B Perez

Does Government propose to provide a smooth surface to the area surrounding the temporary primary school at Varyl Begg Estate?

Answer:

The Minister for Education & Public Works

A surface dressing of limestone chips is to be laid by the PWD as soon as the perimeter paving to the buildings has been completed.



The Hon J B Perez

Will Government state the reason why during the last two years grants for holidays abroad for the youth have been reduced?

Answer:

The Minister for Education and Public Works

The Honourable Member's information is incorrect. Financial Aid to the Youth Council has increased progressively over the past two years, from £8,000 in 1975/76 to £10,350 in 1976/77 and as the Honourable Member will be aware, the House voted £12,000 for this purpose in the current financial year. Within this aid, the proportion devoted to subsidising youth holidays and training assignments abroad has increased from £2,730 to £3,495 and in addition in 1976/77 £500 was allocated from other sources to subsidise the visit to London for young persons engaging in the Duke of Edinburgh Award Scheme.

SUPPLEMENTARY TO QUESTION NO.151 OF 1977

HON J B PEREZ:

Mr Speaker, am I right in saying that in 1975 the grant awarded to youth who went to the United Kingdom amounted to 32% of the fare and in 1976 it amounted to 24% and now in 1977 it is proposed to even lower this grant. I am asking in connection with youth holidays abroad.

HON M K FEATHERSTONE:

Sir, if the Hon Member doesn't put the question in the way that he wanted to get an answer I can't really be blamed for not giving him the information he is trying to elicit.

HON J B PEREZ:

Mr Speaker, the question says quite clearly, "during the last two years grants for holidays abroad for the youth."

MR SPEAKER:

The answer has been that the global amount has increased. Perhaps there is an answer to what you are now asking.

HON M K FEATHERSTONE:

I am not fully aware, Sir, of what the percentages are. I only know that in 1975/76 some 38 people were sent. In 1976/77 the total number of people sent were 77. The number for this year I am not yet sure.

HON J B PEREZ:

Mr Speaker, it was 32% in 1975, in 1976 it went down to 24% and now in 1977 it is proposed to reduce this grant once more.

MR SPEAKER:

Yes, but you have now qualified your question. Your question now is whether the percentage of the Government subsidy is coming down. That is what you are asking.

HON J B PEREZ:

Well, Mr Speaker, that was in fact the question.

MR SPEAKER:

The grant which government has given for holidays abroad has not been increased. Perhaps the answer is that there are more people going and they are each getting less so that the global amount is high but what each individual is getting is less and that is where you are now directing your question.

HON J B PEREZ:

Am I correct in saying that what the Hon Member is stating is that in fact the money which will go towards youth going abroad for holidays has been increased. Is this what the Hon Member is saying?

MR SPEAKER:

Yes. Next question.

The Hon J B Perez

Is Government responsible for the up-keep of Landport Court and if not is Government prepared to accept doing so, due to its present state of disrepair?

Answer:

The Minister for Education & Public Works

Government is not responsible for the upkeep of this Court.

Government has not received a request for such up-keep , but is prepared to consider the matter.

SUPPLEMENTARY TO QUESTION NO.152 OF 1977

HON J B PEREZ:

Should a request be made to Government would they consider it favourably?

HON M K FEATHERSTONE:

No, Sir, I would not say it would be considered favourably or unfavourably. We are willing to consider it.

No.153 of 1977

ORAL

The Hon Dr R G Valarino

Can Government state what is the scale of fees for the hire of Government plant, tools and equipment to private firms?

Answer:

The Minister for Education & Public Works

Government does not normally hire its plant to Contractors. However, if a contractor working for Government requires a particular item of plant, which is available and can be released, the hire charges would be based on the Contractors Plant Association Schedule of Rates.



The Hon Dr R G Valarino

Can Government state how many and what type of tools have been loaned to private firms by P.W.D. since the beginning of the year and the fees collected?

Answer:

The Minister for Education & Public Works

No tools have been loaned to local private firms since the beginning of the year.

SUPPLEMENTARY TO QUESTION NO.154 OF 1977

HON J BOSSANO:

Is Government aware that tools have recently been loaned by the PWD to contractors and that, in fact, they have been blacked by employees of the PWD as a result?

HON M K FEATHERSTONE:

Sir, when contractors damage a service main type of sewer the Department normally makes good the damage and charges the contractor with the cost of the repairs. There have been occasions in the past and similar situations could arise in the future when contractors have been called to undertake such repairs. If they have not held specialised tools the Department in these circumstances would loan the tools. As a result the proposed introduction of a PWD term contract, representatives of the Government section of the Transport and General Workers Union have blacked all contractors' work and have instructed their members not to make good any damage caused by contractors. The Government section has also instructed their members to black such tools the PWD may loan to contractors to make good damage caused during contract work.

HON J BOSSANO:

Is Government aware, Mr Speaker, that tools have in fact been loaned other than as a result of damage having been done which needed to be made good by the contractors?

HON M K FEATHERSTONE:

I am not aware of it, Sir, no.

HON J BOSSANO:

So I can take it, Mr Speaker, that it is not Government policy that this should happen. Well, the Hon Member is saying that it doesn't happen and I am telling him that it does, so I take it that it should not.

MR SPEAKER:

No, the Hon Member says that no tools have been loaned.

HON M K FEATHERSTONE:

Sir, in the past we have loaned tools to private firms. We have also borrowed from private firms and I think on balance we borrow much more than we loan.

HON J BOSSANO:

But since the beginning of the year, Mr Speaker, the Hon Member has said that no tools have been loaned.

HON M K FEATHERSTONE:

As far as I am aware none have been loaned.

HON J BOSSANO:

And therefore, Mr Speaker, I take it that he has also said that the only occasions when tools are supposed to be loaned are where there is damage that needs to be made good by a contractor and the contractor lacks the tools.

HON M K FEATHERSTONE:

No, not necessarily, they could be loaned on other reasons.

HON J BOSSANO:

Well, is it the Government policy to make its tools available to contractors in Gibraltar?

HON M K FEATHERSTONE:

Only in special circumstances, of course. The most usual circumstance is when it is something for repair that a contractor has damaged something of Government and the contractor has not got the tools himself to do that repair.

HON J BOSSANO:

But other than in those circumstances, Mr Speaker, it is not normal for tools to be made available to contractors?

HON M K FEATHERSTONE:

Normally, no.

The Hon Dr R G Valarino

Can Government state the total production figures for fresh water for the months of March and April this year giving a breakdown by source and the total consumption figures for each month?

Answer:

The Minister for Education & Public Works

The production and supply figures for fresh water for the months of April and March were:

MARCH 1977		APRIL 1977	
Total production	54933 tonnes	Total production	55091 tonnes
Rain	637	Rain	-
Wells	11612	Wells	10886
Distiller NF	26830	Distiller NF	5750
		VTE	25044
Imported	15854	Imported	13411
Total Supply	52910	Total Supply	56220

SUPPLEMENTARY TO QUESTION NO. 155 OF 1977

HON J BOSSANO:

Mr Speaker, has the Hon Member got that information in gallons as it is impossible to compare the figure for one month with the other? Is there a particular reason why the January and February figures are in gallons and the March and April figures are in tonnes?

HON M K FEATHERSTONE:

They are all in tonnes, Sir, every figure that I have given has been in tonnes.

HON J BOSSANO:

I know, Mr Speaker, but in answer to question No.93 the Hon Member gave identical figures expressed in gallons and it is impossible to tell whether the thing is going up or down.

HON M K FEATHERSTONE:

Well, if the Hon Member has his little computer and he multiplies by 220 he has got the answer.



No.156 of 1977

ORAL

The Hon Dr R G Valarino

What is the present level of fresh water stocks and how does this level compare with storage capacity?

Answer:

The Minister for Education & Public Works

The level of fresh water stocks at 9 am 11 May 1977 was 10.9 million gallons equivalent to 67% of the storage capacity.

The Hon Dr R G Valarino

Will Government state whether the framework or part of the framework of the new Public Works garage has arrived; and if so, when did it arrive, how much did it cost and where is it stored?

Answer:

The Minister for Education and Public Works

All the frame structure and cladding for the M & T Workshops was received at the beginning of April 1977. The CIF price was £112,317.

The steel structure has been stored at the VTE site at Viaduct and the cladding, glazing and other fittings at Queen's Stores for safe keeping.

SUPPLEMENTARY TO QUESTION NO.157 OF 1977

HON DR R G VALARINO:

What does the Hon Member mean by the Viaduct site?

HON M K FEATHERSTONE:

Where the distiller is.

HON DR R G VALARINO:

So the framework is there exposed to rain and wind.

HON M K FEATHERSTONE:

Yes, I think it is exposed to the rain but I don't think it will come to very much harm as the rainfall that we are getting at the moment is not all that worrying.

HON DR R G VALARINO:

And is there no risk that the sea water will damage the equipment?

HON M K FEATHERSTONE:

No, Sir, I don't think so.

HON MAJOR R J PELIZA:

Does this mean to say that the Government has finally decided where they are going to put it up and when please. This is even more important.

HON M K FEATHERSTONE:

When we get the money from the Ministry of Overseas Development.

HON MAJOR R J PELIZA:

But haven't we paid for this framework?

HON M K FEATHERSTONE:

Yes, we have paid out <sup>of</sup> our own money and we hope to be reimbursed in due course by the MOD.

HON MAJOR R J PELIZA:

Why should we wait for them to pay before erecting it, isn't that rather wasteful in time?

HON M K FEATHERSTONE:

I believe the usual procedure in all contracts, which the Hon Member should know from his time as Chief Minister, is that we pay ourselves and get reimbursed later.

HON MAJOR R J PELIZA:

I know that, but the point is if the structure is there why can't we start putting it up?

HON M K FEATHERSTONE:

At the moment the total cost of the whole scheme has increased and we are waiting for full approval from the ODM to put it up.

HON MAJOR R J PELIZA:

Does the Minister expect now that the Ministry will not give the full approval? What is the point of having all the material here and not start the work if you are certainly going to obtain ODM approval?

MR SPEAKER:

This is not relevant to the question. The original question asked; "Will Government state whether the framework or part of the framework of the new Public Works Garage has arrived; and if so, when did it arrive, how much did it cost and where is it stored?" You can ask any supplementaries you want on this particular question.

HON MAJOR R J PELIZA:

Well, all I can say, Mr Speaker, is that as usual with the Government we shall have the framework but not the garage.

The Hon G T Restano

Will Government consider amending the Imports and Exports Ordinance to restrict the importation of merchandise for commercial purposes solely to those who have a trade licence to sell such goods?

Answer:

The Minister for Tourism, Trade & Economic Development

No Sir. <sup>subject</sup> What the Hon Member is in fact saying is that all goods should be made to import licensing. I am sure that if he gave a little thought to the matter he would realise the tremendous administrative machinery that would be required for the processing of licences for every type of goods imported for sale into Gibraltar and the resultant cost to Government. Furthermore, the inconvenience and delays to the trading community as a whole are clear. In any case the proposed legislation would not achieve very much since wholesalers would still sell to unauthorised retailers unless of course further legislation were to be introduced. The Government takes the view that to fetter trade in this manner would be both unrealistic and unacceptable.



SUPPLEMENTARY TO QUESTION NO. 158 OF 1977

HON G T RESTANO:

Mr Speaker, does the Hon Member realise that if there is no liaison between the Licensing Department with the Revenue Department it is possible for firms or persons without licences to import anything they like into Gibraltar and therefore the result of this is that goods may be sold by people who do not have a licence?

HON A W SERFATY:

This is fully realised, Mr Speaker.

HON G T RESTANO:

Well, if it is fully realised what does the Minister propose to do about it?

HON A W SERFATY:

We are studying ways and means but what I am trying to say, Mr Speaker, is that this is not the way to prevent it.

HON G T RESTANO:

Mr Speaker, I didn't quite hear that answer. Did the Minister say he is studying the matter?

HON A W SERFATY:

Eventually we shall come here with a Bill to change the Trade Licensing Ordinance.

HON G T RESTANO:

Mr Speaker, it wasn't the Trade Licensing Ordinance that I was asking about, it was the Imports and Exports Ordinance.

The Hon Major R J Peliza

Can Government give a progress report on the improvements of facilities for small boats?

Answer:

The Minister for Tourism, Trade & Economic Development

The MOD have given their consent in principle to the proposed improvements to the Camber with the object of enlarging its capacity to approximately 200 boats. The terms under which this arrangement has been proposed are now being negotiated with the MOD.

SUPPLEMENTARY TO QUESTION NO.159 OF 1977

HON MAJOR R J PELIZA:

Mr Speaker, can't the Minister remember about 4 or 5 months ago, I think, I put the same question when I believe that at the time I got something similar to that answer. Does the Minister remember that he said that he was hoping to have something ready by this summer and does he still stand by that statement? The Minister did not give an undertaking but he thought he might be able.

HON A W SERFATY:

The matter is still being negotiated and of course the matter is also linked with the provision of floating piers inside the Camber by the new Marina developer.

HON MAJOR R J PELIZA:

So the fact is then that the Minister at this late stage before the summer still hasn't got a clue as to how or in what way he is going to provide for small boats. Is that the case?

HON A W SERFATY:

I cannot commit myself at this time that we shall have the floating piers inside the Camber because we are still negotiating with the Ministry of Defence.

HON MAJOR R J PELIZA:

So what does the Minister expect owners of small boats to do this summer, bring them up to Main Street or the Piazza and keep them there. What does he expect them to do?

HON A W SERFATY:

I think the boats now are somewhere and they haven't taken them home so I hope that we can carry on as we are for the present.

HON MAJOR R J PELIZA:

They are somewhere but in a most unsatisfactory state, apparently, otherwise I am sure the owners of small boats would not be protesting in the manner they are doing. Does the Minister intend to at least make available something on a temporary basis for this summer?

HON A W SEREATY:

I am afraid not. We are trying to hurry this matter up of the agreement with the Ministry of Defence and the provision of the floating piers by the Marina developers, as I said before.

HON MAJOR R J PELIZA:

Can the Minister give an undertaking that this will be ready in 1978?

HON A W SEREATY:

I give no undertaking, Mr Speaker.

The Hon Major R J Peliza

Can Government give a breakdown of the cost of the new public address system being installed at the air terminal?

Answer:

The Minister for Tourism, Trade & Economic Development

I propose to make a statement on this matter at a later stage in the proceedings as promised during the Budget session.

MR SPEAKER:

When the Minister makes his statement the questioner will be entitled to ask questions on it as if it were an answer to a question.



The Hon Major R J Peliza

Can Government state if the immigration procedure at the departure gate is now working satisfactorily and that no unnecessary inconvenience is now being caused to passengers travelling by air?

Answer:The Minister for Tourism, Trade and Economic Development

Though the situation at the Airport is not unsatisfactory it will improve as soon as Immigration takes over the Airport security checks from Messrs Blands Ltd. This has been approved by Council of Ministers and agreed in principle by the Airport Security Committee whose approval has been sought.

SUPPLEMENTARY TO QUESTION NO. 161 OF 1977

HON MAJOR R J PELIZA:

Does the Minister say that there are no inconveniences being suffered at the moment? Has the Minister been there and seen what happens? On one occasion there was a semi paralysed person, who was made to queue up standing and at the intervention of a local citizen he was pushed through the door without an immigration officer being there to make him comfortable and on another occasion a very aged person suffering very much the same condition had to be attended to in a similar way by members of the public. Isn't that causing inconvenience and doesn't that give a bad name to Gibraltar?

HON A W SERFATY:

It does give a bad name if it continues to happen but of course the problem is that people do not go into the departure lounge when they are invited to in the first instance and they stay on until the last minute. This is the situation, let us be honest. The difficulty is that people are invited to go to the departure lounge and there is a police officer at the end of the corridor to see them in. Then when the plane arrives that police officer at the present moment has to go to the immigration side and until he returns from the Immigration there is no police officer to see people in. When he returns those few who have not yet gone into the departure lounge are allowed to go in but this situation as I have said in my answer to the question will improve very soon when the police take over from Blands Ltd on security.

HON MAJOR R J PELIZA:

Is the Minister aware that the procedure is that they call the flight whereupon passengers usually queue up to get through. There is a delay in the passengers getting through naturally because of the security search and therefore there is a long queue. Possibly halfway through that the plane arrives from London or Tangier and it is then that the immigration officer has to move from the departure gate to the arrival gate whereupon everybody who has answered the call, to go to the departure lounge has got to wait until the arrivals get through Immigration and then the officer returns. Therefore I am afraid the Minister is completely wrong in the answer he has given and I suggest that he checks the source of his information.

MR SPEAKER:

I think the Minister has given you an answer to your question. He has said that this has been as a result of the present situation and that once the security checks are taken over by the police this will stop. This is the way I have read the answer.

HON MAJOR R J PELIZA:

Is the Minister aware that all that is required is one more immigration officer there. It doesn't require any other change in the system.

HON A W SERFATY:

I am aware.

HON MAJOR R J PELIZA:

Therefore does the Minister now agree with me that it is not a question of the passengers not behaving according to the way they are told to behave but in fact it is caused by the passenger actually doing what they are told to do.

HON A W SERFATY:

Not quite. The difficulty is that for a period of time there is no police officer at the departure gate.

HON MAJOR R J PELIZA:

Why is it taking so long for this to be corrected when in fact I asked the same question about three months ago?

HON A W SERFATY:

I am told by the Police that this takeover will take place within a matter of a week or two.

HON MAJOR R J PELIZA:

Yes, but why hasn't it been corrected before? Why must Gibraltar get a bad name unnecessarily?

HON P J ISOLA:

I don't quite see how the taking over of security by the Immigration Department will necessarily mean that there will be somebody at the gate all the time. Will the Minister bear in mind that unfortunately the airline which has a tremendous reputation for the quick turn round of an aircraft in Gibraltar is doing this to a very great extent at the expense of the public who are asked to go into the departure lounge before the plane has even arrived in Gibraltar so that anybody who complies with the call to go to the departure lounge before the plane has arrived knows he has got a wait of at least 40 or 50 minutes sitting there incommunicado from the outside world and would he give an assurance that of course there will be a procedure under which passengers can go to the departure lounge whenever they like subject to their being there before the final call.

HON A W SERFATY:

Yes, Sir, I am not the Minister for the Police but I can give an assurance.

HON MAJOR R J PELIZA:

I would very much like the person responsible for the police in this House to give us an undertaking.

HON CHIEF MINISTER:

Mr Speaker, I am not responsible for the Police but I have cleared this question of immigration from the point of view of the running of the air terminal and I am quite satisfied that the new procedure will meet .. precisely the point that has been made by the Hon Major Poliza and Mr Isola.



The Hon Major R J Peliza

Is it not possible for Government to take some initiative to make Gibraltar look clean and attractive to the tourists visiting our Rock this summer?

Answer:

The Minister for Education & Public Works

The Public Works Department is always endeavouring to keep our highways clean and lorries are continuously employed removing the many accumulations that occur frequently.

During the summer special efforts are also directed at keeping the beaches clean.

SUPPLEMENTARY TO QUESTION NO. 162 OF 1977

HON J B PEREZ:

Did the Hon Member by any chance go to the beach this last weekend?

HON M K FEATHERSTONE:

Sir, if the Hon Member is referring to oil slicks, I am afraid we cannot do very much about it.

HON MAJOR R J PELIZA:

Is the Minister satisfied with the results of these efforts.

HON M K FEATHERSTONE:

One is never satisfied. It is a pity we don't have any bucket and shovel merchants in Gibraltar because that would at least cut down certain amount of <sup>the</sup> nuisance. If the Hon Member does not know what a bucket and shovel man is I will have to enlighten him. These are the people who used to run after horses to collect their droppings. They picked it up with shovels and put it into the bucket. We would need bucket and shovel merchants to deal with the droppings of the various dogs that are around town. The position is that as fast as we take away the accumulations of rubbish they seem to come back again and I have seen myself where rubbish has been taken away at 2.30 and by 3.00 o'clock there is another pile there. Unless one is going to have a lorry continually standing by to turn up every half hour, it is going to be an impossibility. The public themselves could cooperate if they want to keep Gibraltar more tidy.

HON MAJOR R J PELIZA:

When I come I do see a lot of rubbish and this is why I am putting the question. Could the Minister then not blame the public but would he blame himself for not being able to produce a system that would produce the desired result? Isn't he accepting defeat at the moment? What can he do about it?



HON M K FEATHERSTONE:

Sir, from pictures that I see on the television of the state of the streets in the United Kingdom and in America I don't think that our streets are all that dirty.

HON MAJOR R J PELIZA:

It is not a question, Mr Speaker, of comparing this with any suburb or any other place. We are concerned with Gibraltar and I hope the Minister is as concerned as I am. Could he therefore bring up Gibraltar to a standard which is the standard expected by the Gibraltarians? This is what I am asking him.

HON M K FEATHERSTONE:

Well, if the Gibraltarians expect such a high standard they themselves should assist in having this standard by not putting refuse around at every opportunity.

HON MAJOR R J PELIZA:

Sir, is the Minister suggesting then that it is the Gibraltarians who are the people who are making Gibraltar look dirty and not the department which is incapable of keeping it clean?

HON M K FEATHERSTONE:

Well, I don't think it is the tourists who put the large accumulation of rubbish on the pavement every day.

HON M XIBERRAS:

Could the Hon Member take the advert on television at least to persuade the Gibraltarians to do their job and their duty. What initiative is he going to take?

HON M K FEATHERSTONE:

I am afraid that advert should be removed because it has no effect whatsoever now.

HON M XIBERRAS:

Mr Speaker, if it is the public that is at fault then what is the Minister doing to persuade the public to do its duty? What is the Minister doing to persuade the public to be conscious of this.

HON M K FEATHERSTONE:

I just invite the Hon Member to stand outside any sweet shop and watch what happens.

MR SPEAKER:

Order. You are being asked whether Government is doing anything to convince the Gibraltarians to refrain from throwing litter in order to keep Gibraltar clean.

HON M K FEATHERSTONE:

What are we doing? We are sending lorries around....

MR SPEAKER:

No, no, you are being asked whether Government is prepared to start a campaign to convince the Gibraltarians to be tidier. Basically, that is the question.

HON M K FEATHERSTONE:

We have had these campaigns, I think, for about 3 or 4 years. I think all advertisers know that after a period the campaign loses its impact even if it is for Pete's sake or for anybody else's sake. Perhaps the thing to do would be to lay off advertising for a little while and come back to the attack in six month's time when people will suddenly realise that this is something new and may take notice of it. I think at the moment the advert is just one more of those adverts. Whereas we put on regularly that we will collect rubbish from householders if they will only be kind enough to ring us up, householders still fling mattresses, old bedsteads and God knows what all over the place and do not ask the Public Works Department to take it away and this is the sort of thing that if you go to certain areas of Gibraltar do make the place look very untidy indeed. I agree.

HON M XIBERRAS:

Bearing in mind the most impressing sum that the Government spends on rubbish collection, would the Hon Member - and I gather from his answers that he is not satisfied with the position, has the Hon Member been given advice by people in his Department as to the advisability of introducing a Litter Act, for instance?

HON M K FEATHERSTONE:

I think I mentioned that in the budget debate some<sup>little</sup>/time ago. We shall have to speak a little bit more about it.

HON M XIBERRAS:

But is the current advice for a Litter Act or against a Litter Act?

MR SPEAKER:

No, no, we are not going to go beyond the orbit of the question.

HON M XIBERRAS:

I am asking the Hon Member whether he is going to do anything about it. May I ask him whether he intends to introduce a Litter Bill?

HON M K FEATHERSTONE:

I said we are willing to think about it.

HON ATTORNEY GENERAL:

The provisions of the relevant legislation in the United Kingdom, the Litter Act of 1959, are, in fact, written into our Public Health Ordinance.

HON M XIBERRAS:

Could the Hon Member say whether they are being enforced?

HON ATTORNEY GENERAL:

That I cannot know but this House, since I have been a Member, introduced those provisions into the Public Health Ordinance.

HON M XIBERRAS:

Would the Hon the Minister for Public Works know whether this is being enforced or not, or is it a dead letter?

HON M K FEATHERSTONE:

Sir, unless you are going to have a policeman standing by in at least 10 or 12 places in Gibraltar where litter accumulates, especially trade refuse, on a very regular daily basis, I am afraid we are going to have great difficulty in enforcing such legislation.

HON M XIBERRAS:

Is it not a fact, Mr Speaker, that the police tend more to look to traffic offences rather than this?

HON MAJOR R J PELIZA:

Does the Minister think he is incapable of doing anything about it? Isn't it time that he should think about resigning his position?

HON M K FEATHERSTONE:

A Minister's job is to see that the litter is removed not to see that it is not put there in the first place.

HON J B PEREZ:

In connection with this question I am more concerned with the state of the beaches in Gibraltar. Would the Hon Member say what action he is in fact taking to clean up the beaches?

HON M K FEATHERSTONE:

Sir, we have gangs of men whose job it is to clean the beaches on a regular basis. They have been doing this since the beginning of the season. Once again, as I say, to keep the beaches clean the public can cooperate considerably by putting the litter into the refuse bins provided and not burying it indiscriminately in the sand or just chucking it away onto the floor.



HON J B PEREZ:

Mr Speaker, the Hon Member has said that men were employed on a regular basis, is this once a week, once a month or once a year?

HON M K FEATHERSTONE:

No, Sir, they are there from sunrise to sunset every day. The beach is looked over before people even start to get down there and I think if the Hon Member were to go early in the morning he would find those men there actively cleaning the beach.

HON P J ISOLA:

Could I ask, Mr Speaker, that if in fact the public seem to be to blame to a great extent for the litter and there is a law that provides that you cannot leave litter wherever you like, is there not some merit in asking the police to watch some places where litter is in fact regularly dumped and have a few prosecutions and that might have much more effect than all the advertising the Government can do. Once people know that the law is being enforced they might be more careful where they leave their litter.

HON M K FEATHERSTONE:

We can approach the police and suggest this is done. Which is the other half.

HON MAJOR R J PELIZA:

The Minister has said nothing about making Gibraltar attractive, Mr Speaker, which was the second part of my question.

HON M K FEATHERSTONE:

A great deal is being done to make Gibraltar look attractive. We have our various gardens and parks which are in reasonably good condition.

HON MAJOR R J PELIZA:

Does the Minister propose to do anything new? Is he satisfied have we reached the end of the road now. I remember when the time when there was another Government and something new was being done every week. Can the Minister state if he has any plans at all to carry on embellishing Gibraltar.

HON M K FEATHERSTONE:

I think if the Hon Member reads the City Plan he will find quite a number of suggestions in it.

HON MAJOR R J PELIZA:

Could the Minister give us a list of the proposals?

MR SPEAKER:

No, they are available.



HON MAJOR R J PELIZA:

They are available, Mr Speaker, but could he quote them here and give us an idea.

MR SPEAKER:

Order. We are getting out of hand and I am not having it. You have been told that Government has incorporated in the City Plan certain works to beautify Gibraltar. That is information which is easily available to the Hon Questioner by referring to the City Plan.

HON MAJOR R J PELIZA:

Could the Hon Minister say whether any of the proposals contained in the City Plan will be carried out in the near future?

HON M K FEATHERSTONE:

I would need notice of that question, Sir.

HON MAJOR R J PELIZA:

But it is contained in my question and he has said nothing about it.

MR SPEAKER:

You asked if he could give you an idea whether any of the particular matters referred to the City Plan were going to be implemented and he has replied that he needs notice of that question.

HON J BOSSANO:

Could I ask about the cleaning of the beaches, Mr Speaker? Is, in fact, the litter removed manually, each individual piece at a time?

HON M K FEATHERSTONE:

Yes, Sir, they walk around with plastic bags, they collect the litter they find in the beaches and put it into the bag. They also remove the bins that are along the beach manually and take them up to the dustcart.

HON J BOSSANO:

And doesn't the Minister consider that if, in fact, the bulk of population spend their time throwing litter as he says he is going to need virtually the same number of people picking it up if it is going to be done at the same rate?

HON M K FEATHERSTONE:

Sir, I think that the question of beach cleaning machines has been mooted many times in the past and it has not been found favourable.

No.163 of 1977

ORAL

The Hon Major R. J Peliza

Is the Government satisfied with the priority that British Airways gave to flights to Gibraltar during the recent strike at Heathrow Airport?

Answer:

The Minister for Tourism, Trade & Economic Development

No Sir. However there is very little that could be done to get services started in an industrial dispute completely outside the control of the Government of Gibraltar.

Gibraltar Airways however are to be congratulated on their action in seeking alternative means of transport.

The Hon M Xiberras

What stage has been reached in the building of the Girls' Comprehensive School?

Answer:

The Minister for Tourism, Trade & Economic Development

Final sketch plans were submitted by the Consultants in June 1976 together with a revised programme. The project check lists and project backgrounds, including education and economic justification, were submitted to the FCO in July 1976 and a formal project application was made on 1 12.76. A decision is awaited.

SUPPLEMENTARY TO QUESTION NO.164 OF 1977

HON M XIBERRAS:

Was the series of events which the Minister has just outlined before or after the disagreement in the Government as regards the desirability of the building of the comprehensive school?

HON A W SERFATY:

I am not aware of any disagreement.

HON M XIBERRAS:

Would the Hon Member then say what hope there is of seeing the comprehensive school started, the actual building, by the date which the Government announced about a year or two years ago.

HON A W SERFATY:

Of course not. We are still awaiting a decision on the approval of the project.

HON M XIBERRAS:

Could the Hon Member say what else is awaiting a decision of the project which depends on this?

HON A W SERFATY:

If the Hon Member is referring to other projects in the Aid Programme....

MR SPEAKER:

No, is there any other factor which will delay the building of the school other than the one which he has given?

HON A W SERFATY:

Not, really, Mr Speaker.

HON M XIBERRAS:

Could I ask the other question Mr Speaker. Is there any other project which depends towards realisation at the beginning ~~at~~ least on the decision of the Comprehensive School?

HON A W SERFATY:

There are two items which are connected with the Comprehensive School, one of them is the reconstruction of the Public Works Garage and Workshop elsewhere. The other one - I think there is a question on this later on - is the question of the Mediterranean Rowing Club.

HON M XIBERRAS:

Mr Speaker, since there are three projects apparently dependent on each other, would the Hon Member say until when the Government is going to wait for a decision on the Comprehensive School?

HON A W SERFATY:

We can do no more than press the Ministry of Overseas Development, and this we are doing. That is all I can say.

HON M XIBERRAS:

The Minister for Public Works in answer to a previous question said that the girders for the Public Works garage were already here and being stored. What would the Hon Member say is a reasonable period to wait for a decision on the comprehensive school?

HON A W SERFATY:

The approval for this should have come already and I feel as strongly as any other Member in this House about this matter.

HON M XIBERRAS:

Yes, Mr Speaker, but that is not my question however strongly the Hon Member feels.

HON A W SERFATY:

May I have the question again.

HON M XIBERRAS:

Could I ask him whether he is hopeful that he will get a decision in time.

HON A W SERFATY:

I won't be that optimistic this time.



HON M XIBERRAS:

Mr Speaker, is the Hon Member then saying that he is not optimistic that the school will get built at all? I am asking whether he is hopeful that he will get a decision in time?

HON A W SERFATY:

The whole thing is overdue but I am hopeful that one day the comprehensive school will be built.

HON M XIBERRAS:

But the Hon Member's time chart is a very lengthy one. I am asking the Hon Member, for the benefit of Hon Members of this House, to give another indication as to when he expects a decision on this.

MR SPEAKER:

He has already said that he doesn't know.

HON A W SERFATY:

This is not my time chart, it is the time chart of the British Government.

HON M XIBERRAS:

Well, Mr Speaker, perhaps the Hon Member will not kid this House any more on the matter. Can he be realistic about the future of the Girls Comprehensive School, once and for all.

HON CHIEF MINISTER:

Mr Speaker I think I could help on this matter. As was announced recently the question of Overseas Aid for Gibraltar is going to come directly under the Overseas Ministry and not through the FC0 which unfortunately in the last few months, in the last few years I would have thought, has proved a hindrance rather than a help. It is intended for a very early visit after the Jubilee holidays, 6th and 7th, to make a visit of officials and perhaps the Minister himself, to make contact with the new person in charge of ODA to press the matter as has already been done by correspondence and by the occasional visit of officials and ministers to London.

HON M XIBERRAS:

Mr Speaker, would the Hon and Learned the Chief Minister then tell the House by when he expects a decision on this project?

HON CHIEF MINISTER:

It depends very much on the outcome of the talks. I do not want to think that the visit is not going to prove fruitful because that would be a very serious state of affairs.

HON M XIBERRAS:

That is why we want to find out about it. May I ask his colleague the Minister for Development whether work on the other two projects will be delayed because of a lack of decision on this.

HON A W SERFATY:

I do not know to what extent there should be a delay on the construction of the Public Works Garage because of the Comprehensive School. As far as I am concerned we could carry on with the construction of the Public Works Garage very quickly.

HON M XIBERRAS:

Would the Minister say that the decision on the building of the Girls Comprehensive School will not affect the Public Works Garage?

HON A W SERFATY:

As far as I am concerned it won't.

HON M XIBERRAS:

I am asking him, in fact, is it going to be affected or not because this Public Works Garage has been on the drawing board for a very considerable length of time.

MR SPEAKER:

The answer is, no. You have been given an answer.

HON A W SERFATY:

I cannot speak for what other people may think. Some people may think that if we are not going to build the school there, there is no need to move the garage from where it is now.

HON M XIBERRAS:

Well, who are these people, Mr Speaker?

HON A W SERFATY:

And this is what I want to discuss in London as soon as I go.

HON M XIBERRAS:

Could the Hon Member convey to the authorities in London, the concern that the Development Programme of I don't know how many years ago has still not been implemented at all. And would the Hon Member put something into it, too?

HON J BOSSANO:

Mr Speaker, could I just ask whether there is a commitment that the School will be built by ODA or in fact whether it is still an open question whether there will be approval or not?

HON A W SERFATY:

I have always been aware that there was a commitment to build the school, the estimated cost of which in 1974 was £1 $\frac{1}{2}$ m. The present situation is that the cost is more like £4 $\frac{1}{2}$ m and that is where the matter stands at present.

HON M XIBERRAS:

Can we have a categorical assurance that there is unanimity on the part of the Government that when Hon Members opposite go to the United Kingdom they carry the same idea that they have expressed in this House, namely, the Comprehensive School, plus the housing, plus the Public Works garage and so forth?

HON CHIEF MINISTER:

May I suggest that putting these questions continuously could give an impression that we are not unanimous at getting the comprehensive school and that we have said so often enough that we propose to and we will do everything we can to do it.

HON M XIBERRAS:

If the Hon Member had made that statement before I wouldn't have questioned him.



The Hon M Xiberras

Will Government make a statement on tourism trends in the last calendar year and on the prospects for the coming summer season?

Answer:

The Minister for Tourism, Trade & Economic Development

Generally in 1976 the world-wide inflationary trend continued to bring about increases in the cost of travel. A direct charter link with Dublin was established on a fortnightly basis. A twice weekly hydrofoil service was also commended supplementing the daily ferry service to Tangier.

As compared to 1975 the number of air arrivals staying in Gibraltar decreased by 15%; all arrivals in hotels decreased by 23%. All guest nights sold decreased by 20% and tourist guest nights sold by 17%.

British Airways and Gibraltar Airways scheduled 10 flights per week during the summer months and 6 flights per week during the winter months.

Statistical information reveals that from January to March 1977 and compared to January/March 1976 all arrivals to Gibraltar increased by 9.3%. Excursionists by sea increased by 83% and excursionists by air increased by 33.3% but air arrivals staying in Gibraltar decreased by 12%.

As regards general long stay bookings for 1977 our long term forecast indicates a small increase later this year and perhaps in 1978. General major tour operators advertising for all destination has not had the expected result of stirring up booking apathy. The booking pattern for Gibraltar has always been a late one and this has now become the norm for other holiday destinations. It appears that consumers have realised that holidays need not be planned on the long term as before and these are available at reasonably short notice and possibly with discounts. With the present tight economic situation in the UK and the uncertainty of the wages situation it is difficult to judge the final outcome. There is a general feeling in all trade circles in the UK that the anticipated 20% drop in holiday traffic looks like being correct.

As regards Gibraltar it is understood that scheduled airlines will be carrying high load factors in summer not due to a traffic boom but to the reduced number of seats on the route. Immediate and forward bookings are keeping up with last year possibly 1% up.

Exchange Travel introduced a charter operation to Gibraltar which initially did quite well though because of the late booking decisions being taken it is early to fully judge the outcome of peak summer bookings. A Scandinavian tour operator is featuring Gibraltar in his 1977 programme for the first time and groups of Swedish holidaymakers are being flown to Gibraltar over London. Arrangements are in hand for a party of 20 holidaymakers from Czechoslovakia on a two centre holiday one week in London and one week in Gibraltar schedule for the beginning of June. These are pilot schemes and I hope that more traffic will originate from Europe. Bland Ltd is also doing pioneering work with direct flights from Dusseldorf in October bringing a total of 250 from the Federal Republic of Germany.

Crusing is static.

With the appeal that Gibraltar has for shopping there could be an increase in traffic from Morocco.



SUPPLEMENTARY TO QUESTION NO. 165 OF 1977

HON M XIBERRAS:

Is the Minister not somewhat concerned about the situation?

HON A W SERFATY:

Yes, Sir, we are concerned.

HON M XIBERRAS:

Will he bear it in mind, Mr Speaker, this concern is generally shared by the House and could I ask him that what he intends to do to try to get a more upward trend for this coming summer season whilst conceding that many of the factors involved are beyond our control.

HON A W SERFATY:

I have been discussing a week or so ago with our advertising agents how best to spend a relatively large sum of money which we have earmarked in the budget for going into Europe, put it this way, this is one of the things that we must do, and of course I have been discussing with tour operators like Exchange Travel what the future of their charter operation is going to be next year and perhaps in this winter. These things we are trying to do but the picture is not a very bright one for tourism, generally. At least, apparently, we are not going too badly considering how other resorts are doing.

HON M XIBERRAS:

Are these views shared by the Hon Member's successor in the post?

MR SPEAKER:

It doesn't really matter. You don't have to answer that question.

HON A W SERFATY:

I am sure my successor will do a very good job in tourism.

The Hon M Xiberras

How are Government plans in connection with their housing redevelopment areas progressing?

Answer:

The Minister for Tourism, Trade & Economic Development

As an extension to the Housing Modernisation Programme three areas are currently involved in Government's Area Redevelopment Scheme. These areas are:-

1. Tank Ramp involving the construction of 10 new flats and the modernisation of 37 dwellings,
2. Lime Kiln Road/Lopez Ramp which will consist of approximately 100 modernised flats, and
3. Willis's Road which will produce slightly less modernised units than Tank Ramp plus nine new flats approximately.

Additional architectural staff is being engaged to speed up the programme. Project Application for 10 new housing units, 12 modernised flats and a relief road in Tank Ramp is being made to ODM this week. Approval has been received for 4 modernised flats in Devil's Gap Road which lies within the Lopez Ramp complex.

Drawings and estimates of costs are being finalised for the modernisation of 14 flats in Lopez Ramp and it is anticipated that Project approval will be sought for this work in a month's time. Plans for the modernisation of 13 units in Lime Kiln Steps are in an advanced stage and are expected to be ready for submission to ODM in about 8 weeks time.

SUPPLEMENTARY TO QUESTION NO. 166 OF 1977

HON M XIBERRAS:

I thank the Hon Member for the trouble he has taken over that. Could he tell us, however, when the first of these flats will be able for actual occupation bearing in mind, as he said, in the Budget debate that 77 flats will be produced in the course of this year.

HON A W SERFATY:

As the Hon Member is aware some of the modernised flats elsewhere are already being occupied and some are in the process of being carried out now, but as to when these will be occupied first of all I would like to know when the projects are going to be approved by ODM and then I will say how long it is going to take to do the job.

HON M XIBERRAS:

I can't remember, Mr Speaker, very clearly when the Hon Member said that 77 flats were going to be ready in each of the next three years whether in the first 77 he was referring to these development schemes or not. Could the Minister, perhaps, refresh my memory?

HON A W SERFATY:

I have got this figure of 77 which was 230 divided by 3. We were talking of new flats and of course we were talking of rate of construction. We are not saying that they were going to be ready. It was the rate of construction of 230 over a period of three years which divided by three is 77.

HON M XIBERRAS:

Could the Hon Member say how many of these flats are going to be ready let us say by the end of this year. Does he have any idea?

HON A W SERFATY:

No idea, Mr Speaker, and I wouldn't like to commit myself, I am sorry.

HON MAJOR R J PELIZA:

Does the Minister have any idea about anything?

HON M XIBERRAS:

Mr Speaker, are these flats he is talking about going to be ready before or after the Rosia Dale project?

HON A W SERFATY:

It all depends. I am not going to commit myself on something which does not depend on me or my Government whether the money is available or not.

HON M XIBERRAS:

Is the Hon Member saying in fact, do I understand him correctly, that even for the rehabilitation of let us say 3 flats here or 3 flats there, he needs the approval of ODA?

HON A W SERFATY:

Yes, Sir.

HON M XIBERRAS:

How did the Minister get himself into this position?

HON A W SERFATY:

That is what I was wondering. I was wondering as Chairman of the monitoring committee whether there is anything to monitor in the future.

HON M XIBERRAS:

But the Hon Member is surely criticising himself.

MR SPEAKER:

No, he is not.

HON M XIBERRAS:

Well, Mr Speaker, can I ask the Minister whether he knows the concern felt by his colleague the Minister for Housing that he has no houses to allocate. Is he aware of this and what is he going to do about it?

MR SPEAKER:

Order. We are not asking any useful questions now.

HON M XIBERRAS:

Well, Mr Speaker, I am just highlighting that the Minister apparently does not appreciate how he has got himself into the position he is in now. I am just trying to disentangle him. I am asking him, Mr Speaker, whether the whole of this programme which he has outlined is still subject to ODA approval even though it involves, in places, 3 flats or 2 flats and do we have to get experts from ODA to come over and approve it?

HON A W SERFATY:

The answer to the question is yes, Sir, it is subject to ODA approval.

MR SPEAKER:

Next question.



The Hon M Xiberras

Has Government had any communication with the National Union of Seamen on their reported intention to black cargo to Gibraltar and can Government make a statement on the extent and effects of this action, if it is carried out?

Answer:

The Hon the Chief Minister

No Sir. The Government has not so far communicated with the National Union of Seamen. The Government has no information on which to make a statement about the extent and effects of the reported intention to black cargo. The result of all the enquiries which have been made, both here and in the United Kingdom since this intention was announced early this month, has been that there is no evidence of any blacking having been put into effect.

SUPPLEMENTARY TO QUESTION NO.167 OF 1977

HON M XIBERRAS:

Is the Government therefore hopeful that no blacking will, in fact, take place?

HON CHIEF MINISTER:

I am not saying we are hopeful, we are not. I have a draft letter prepared as far as a fortnight ago, if in fact I saw that it had effect putting the case of Gibraltar we saw it but I do not think that one should interfere in union matters unless the results are really seen as practical.

HON M XIBERRAS:

Mr Speaker, do the Government agree that if there is any evidence that there is blacking action, given the fact that the terms in which it has been announced locally by parties involved in this dispute are such as would affect the community as a whole, that the Government bench make it its business to find out the extent and likely effects of this action.

HON CHIEF MINISTER:

Not only is it the intention to make it its business it has always been our concern about this matter since the matter was announced and we have used every possible means to find out whether it could have any effect, short of asking the Union itself, naturally, and we have no evidence at all about this. But it is our concern and should there be any signs of this of course then not only is it a question of representing the case to the union but of taking other steps but it would be idle to anticipate matters when the evidence is not with us as yet.

HON M XIBERRAS:

Finally, Mr Speaker, has there been any communication from any of the parties involved in the dispute generally to the Government on this matter?

HON CHIEF MINISTER:

I don't understand the question.

HON M XIBERRAS:

Has there been any communication from any of the parties involved in the dispute to the Government on this matter?

HON CHIEF MINISTER:

Yes, I suppose there has been, I don't know when it was the last time I had an informal meeting with the Chairman of the CPSA where the matter was reviewed and certainly as I shall have an opportunity perhaps later on to say that despite everything that has been said about the lack of the Government wanting to do anything about this, the Government has not been idle in this matter.

HON G T RESTANO:

Mr Speaker, has not the Government in fact made a survey on reserve stocks to see whether there are adequate stocks of essential commodities in Gibraltar.

HON CHIEF MINISTER:

That is in hand.

HON G T RESTANO:

My question was has it been done? Has the survey been done?

HON CHIEF MINISTER:

The whole question of the reserve stocks in the case of an emergency is in hand.

HON G T RESTANO:

I am sorry, Mr Speaker, I am asking whether the survey has been made not whether it is in hand.

MR SPEAKER:

You have been told that it is in the process of being made.

HON CHIEF MINISTER:

I am not going to say anything more than that we have the matter under control.

The Hon M Xiberras

Bearing in mind the insecurity of tenure of their premises, from which the Mediterranean Rowing Club is suffering, as a result of various Government development schemes, will Government make a comprehensive statement on the future of these premises, on alternative sites offered or likely to be offered and on any contacts that have taken place latterly between itself and the club?

Answer:

The Minister for Tourism, Trade & Economic Development

I have had several meetings with the representatives of the Mediterranean Rowing Club since 1973. My last meeting with them was on 18 April when I explained why it was not yet possible to give the Club any indications of the availability of an alternative site.

I have been aware from the start of the Club's concern for their future and I have made strenuous efforts to achieve a satisfactory solution whilst ensuring that access to the Clubhouse by sea was maintained meanwhile.

I have been at pains to stress the difficulties connected with the question of an alternative site for the MRC. What possibilities there are have all been thoroughly explored but accepting that the number of water front sites is extremely limited attention has necessarily had to be focussed on the Mantagu Basin. The availability of a site within this area is, however, in turn dependent on other matters which are still pending.

I have, following our meeting on the 18 April, been able to inform the Club that under their agreement with Government the developers of the new Marina at Bayside have undertaken to re-instate the MRC clubhouse on a site to be allocated by Government for the purpose as soon as it is in a position to do so.



SUPPLEMENTARY TO QUESTION NO.168 OF 1977

HON M XIBERRAS:

Mr Speaker, am I right in saying that the reason why the Hon Member was unable to give any firm indication to the club on the 18th April as to what was to happen to the club was that negotiations were taking place with the Marina development?

HON A W SERFATY:

Not so much that as the question of the Montagu Basin site and the taking over from the Ministry of Defence for the school etc., where there is a certain amount of money to be spent in reproviding certain military buildings there which money must come out of the Comprehensive School budget.

HON M XIBERRAS:

I see, Mr Speaker. Then am I right in saying that this project again is dependent in the Minister's view, anyway, on the settling of the Comprehensive School issue because money must be provided to the MOD in payment of certain buildings that would be taken over.

HON A W SERFATY:

Yes, it could be put that way.

HON M XIBERRAS:

Is the Minister in a position to tell the House what the sum of money which the MOD is asking for is?

HON A W SERFATY:

£40,000.

HON M XIBERRAS:

Mr Speaker, is the Minister aware that the Mediterranean Rowing Club is the innocent party in all this and that it is since 1973, I think the Hon Member said, that they have been suffering from this insecurity of tenure and does he not think it is high time that a firm indication was given to them as to where their future lies.

HON A W SERFATY:

As I said before I have given them the commitment that I am able to give them and that is that the developer of the new Marina is committed to reproviding the MRC premises somewhere else.

HON M XIBERRAS:

Would this commitment extend to the developers paying a part at least of these £40,000 the MOD is asking for?



HON A W SERFATY:

I am afraid not. I tried but it won't work.

HON M XIBERRAS:

Mr Speaker, then would the Minister say to what extent or to what point the commitment of the Marina Developers extends?

HON A W SERFATY:

To the cost of reconstructing the MRC premises.

HON M XIBERRAS:

Isn't Government aiding and abetting an unfair situation for the club because it is doing nothing to see that someone does pay this money specifically to reprovide the club with premises. Is the Minister satisfied the Government acting fairly towards the club?

HON A W SERFATY:

It is not a question of providing the money for the reprovision of the premises, it is a question of the site.

HON M XIBERRAS:

Well, Mr Speaker, isn't the Hon Member splitting hairs here. Surely the reprovision of premises involves compensation in this case. Isn't the Government behaving rather unfairly towards the Mediterranean Rowing Club?

HON A W SERFATY:

We are hoping that sooner rather than later some decision is going to be taken on the Girls Comprehensive School which will enable us to get hold of the site of Montagu Basin and that in the meantime the MRC can carry on for some little while in the present premises. The reclamation of the Marina Development is not going to proceed southwards for the present.

HON M XIBERRAS:

Is the Hon Member aware of the real situation in the Mediterranean Rowing Club? Is he aware that the Club is losing membership and that the club is most uncertain about its future and that the club simply cannot continue in its present position and is he not further aware that it is as a result of Government approved developments that this situation has come about?

HON A W SERFATY:

I am aware of all these factors but the situation is not that simple. I hope that within a year or so we shall be able to see something really going forward in this respect.

HON J B PEREZ:

Mr Speaker, is the Hon Member saying that the MRC will have to go from their present position. Is this what the Minister is saying?

HON A W SERFATY:

Yes, I am saying that.

HON M XIBERRAS:

Is the Hon Member then aware that a club that has always put all its money back into the development of the club is absolutely paralysed by the lack of action of the Government on this matter. Does he have it in him to appreciate the position of the club to do something about this. It is his responsibility. Will the Minister not give us something further than what he has said.

HON A W SERFATY:

If I had the £4<sup>1</sup>/<sub>2</sub>m for the Comprehensive School here and now I could be much more positive as to what I am saying. I am aware of course because I have met the representatives of the MRC many times the last occasion being in April.

HON M XIBERRAS:

Is the Minister not aware that he is hinging everything on this Comprehensive School and that he has nothing to offer the House in respect of that. Does the Minister expect us to ask questions on development and get the same answer that we are waiting for the comprehensive school before any kind of development takes place, and is he not aware that as a result of the inaction and the ineptitude of the Government on this that the whole of development is affected and that there are some parties, such as the Mediterranean Rowing Club, who are being unfairly affected?

HON A W SERFATY:

If I may say so, Mr Speaker, it is rather unfair to say that the whole of development is at a standstill because of the decision of the Girls Comprehensive School. Only 3 or 4 days ago we had approval of nearly £4m from ODA on the question of repairs to houses. It is unfair to put it that way. It is the Public Works Garage and the MRC, as I said this morning, that to a certain extent, one way or another, are affected by the Girls Comprehensive School and I haven't got an answer to that today.

HON M XIBERRAS:

Mr Speaker, doesn't the Hon Member recall the number of questions that have been asked of him in respect of all these projects, and doesn't he know that specifically in respect of the MRC strong representations have been made by the people affected and by other people in relation to the Development Programme over a period of time and how could he come to the House and state this again depends on some future date which is undetermined and offer absolutely no chance of a solution? Can't the Minister do something about these £40,000 or something?

HON A W SERFATY:

I wouldn't like to give a guesstimate now of how much it is going to cost to reprovide the MRC premises. Even though I am a professional myself I think I would be sticking my neck out unduly.

HON M XIBERRAS:

Is the Hon Member satisfied that the MOD has a good case to demand £40,000 in respect of these buildings?

HON A W SERFATY:

This is the agreement in force now between the Government of Gibraltar and the Ministry of Defence that buildings that have to be reprovided somewhere have to be at the expense of the Government which is taking over the site.

HON M XIBERRAS:

Well, Mr Speaker, I don't want to press the Hon Member any more but I will just ask one final question. Does Government accept that it has a responsibility to provide a site itself?

HON A W SERFATY:

It does.

HON G T RESTANO:

Mr Speaker, in order to reassure the club would the Minister commit himself in any way that the club should in fact continue in a different site at no further expense with the same facilities?

HON A W SERFATY:

At no further expense with the same facilities? I wouldn't like to answer that one right now.

HON G T RESTANO:

Mr Speaker, the club is being dispossessed of what it has and the facilities that it has had up to now and the facilities it has given its members in Gibraltar up to now and therefore I think a lot of hard work has been put in by a lot of individuals and members of the club and I think they would like to know that. I think they would like to know whether the club will be discontinued or whether in fact they have to go round asking for money from people. This is what they would like to know.

HON A W SERFATY:

I hope it won't come to that and I hope that they will have a better club than they have now on a better site.

HON G T RESTANO:

Yes, Mr Speaker, but who is going to pay for that?



HON A W SERFATY:

The Chief Minister I think it was who said this morning that one of us and some officials would go to London soon after the Jubilee Celebrations.

HON M XIBERRAS:

Mr Speaker, I am turning to the point made by the Hon Mr Perez. Is he aware that the club itself does not really know whether it is staying there or not staying there? Could the Minister inform the club in writing that it would be removed from there at the earliest opportunity and will he put down in writing and clearly and not in a meeting where things apparently get changed afterwards, that the Government doesn't know really where the club is to go. Will he make the position absolutely clear to the members of the club?

HON A W SERFATY:

I have made it clear in writing on the 11th May after this matter had been discussed by Council of Ministers.

HON M XIBERRAS:

That they had to leave?

HON A W SERFATY:

Yes.

HON M XIBERRAS:

My information is not so.

HON A W SERFATY:

The letter I wrote reads: "Dear Mr Gomez, when you and Mr De Las Heras came to see me on the 18th April on behalf of your committee, I undertook to bring to the Government's attention the feelings of your members at the delay in deciding the future of the club's premises. I then explained the continuing difficulties which prevented a final decision in the matter. I would now formally confirm that in view of these difficulties it is still not possible to give you any further information save that the developers of the Bayside Marina have entered into a commitment under their agreement with Government to reinstate the clubhouse on a site to be designated by Government. It is also anticipated that Government will not be in a position to take any decision as to a possible alternative site until the outcome of the projected talks in London on future development aid is known."

HON M XIBERRAS:

Well, Mr Speaker they have not interpreted the matter that way. They have stressed in fact that Government is unable to take a decision in the matter, that is their reading of the letter. I don't blame them after the thing has gone on for so long. Could the Hon Member give an indication of how much it would cost to reprovide the club? I say this to put the £40,000 in perspective because if the Marina developers have an obligation then we will have some sort of idea of what part of the effort falls upon Government.



HON A W SERFATY:

This is the commitment of the marina developer with the Government.

HON G T RESTANO:

Mr Speaker, does that mean that the developer has agreed to pay for all that and is the site available and will the developer then pay for equal facilities to what they have today?

HON A W SERFATY:

Yes, Sir, it is signed on the dotted line.

HON J B PEREZ:

Just to dwell on this point again. What exactly has the Marina developer agreed to do?

HON A W SERFATY:

To reprovide the premises and they will sit around the table with the MRC representatives and if necessary with myself and the experts of the Government so that we can reach agreement as to what is a reasonable reprovisioning.

The Hon J B Perez

Will Government state what use they intend to make of the waste ground at Laguna Estate?

Answer:

The Minister for Tourism, Trade & Economic Development

The waste ground at the Laguna has been designated as a children's recreational area in the draft City Plan. Discussions are now in progress between a number of voluntary organisations, the Education Department and the Chief Planning Officer regarding the welcome offer of these organisations to provide a kick-about area on part of the Laguna on the understanding that this will form part of a bigger, comprehensively planned children's playground.

SUPPLEMENTARY TO QUESTION NO.169 OF 1977

HON J B PEREZ:

Mr Speaker, do I then take it that the answer is that the Government is in process of setting up a kick-around area there. Is this what you propose to do?

HON A W SERFATY:

These voluntary organizations will provide the kick-around area.

HON J B PEREZ:

Mr Speaker, is the Hon Member then saying that he is satisfied with merely providing a kick-around area? Does he consider this ample for the needs of the community in that part of Gibraltar?

HON A W SERFATY:

I haven't said any such thing. What I have said is that this kick-about area will be the first phase of the conversion of the whole area at Laguna into a children's playground.

HON G T RESTANO:

What amenities do Government propose to have there?

HON A W SERFATY:

I need notice of that question but that would include, for example, an adventure park. This is the thinking at present.

HON G T RESTANO:

Mr Speaker, the Minister has asked for notice and I give him notice now. Perhaps he can let me have it in writing.

The Hon J B Perez

Will Government confirm that the Director of Tourism will be attending this year's World Tourism Organization Conference which is being held in Torremolinos, Spain?

Answer:

The Minister for Tourism, Trade & Economic Development

Yes Sir. The Director of Tourism will be attending the World Tourism Assembly which is being held at Torremolinos.

SUPPLEMENTARY TO QUESTION NO.170 OF 1977

HON J B PEREZ:

Mr Speaker, will the Hon Member state who, in fact, issued us with the invitation?

HON A W SERFATY:

It is not a question of an invitation, we are members of the World Tourism Organisation.

HON MAJOR R J PELIZA:

Mr Speaker, I would like to know whether assurances have been obtained that the Director will be allowed to attend or whether he will, perhaps, be told to go back to Gibraltar. What sort of plans have been made in case that should happen.

HON A W SERFATY:

We don't foresee any difficulty and neither does the British Embassy in Madrid, not only on the entry into Spain but on the question of any possible embarrassment during the Assembly as I have met in Bordeaux, Copenhagen and Mexico on previous occasions.

HON MAJOR R J PELIZA:

Does that mean that the Minister has got an assurance that nothing will happen. I would like to know if that is so?

HON CHIEF MINISTER:

This can only be given to the extent that it is not given by the host country, it is given by the British Embassy in Madrid.

HON M XIBERRAS:

Is the Minister contemplating going himself.

HON A W SERFATY:

No, Sir, I have said here a long time ago that I will only go back to Spain by the Linea frontier.

HON M XIBERRAS:

By that I take it, Mr Speaker, that it would not be deputed to any other member of the Government who does not feel as he does. How is the Director of Tourism travelling in fact? I am quite serious about this. How is he travelling there?

HON A W SERFATY:

I believe he will do it via Tangier, of course.

HON M XIBERRAS:

Not by yacht?

HON A W SERFATY:

No, hopefully not.

HON J B PEREZ:

Mr Speaker, is any other member of the Government going over to Spain with the Director?

HON A W SERFATY:

No, only the Director of Tourism is going. He can look after himself.



No.171 of 1977

ORAL

The Hon Dr R G Valarino

Will Government consider the building of much-needed bedsitters on ground floor level at Glacis Estate?

Answer:

The Minister for Tourism, Trade & Economic Development

The honourable questioner will be glad to learn that a project application has been made to the Ministry of Overseas Aid for the building of twelve bedsitters at ground floor level at the Glacis Estate.

SUPPLEMENTARY TO QUESTION NO.171 OF 1977

HON DR R G VALARINO:

Could I interrupt for a second, please. Did the Minister say 12?

HON A W SERFATY:

Yes, Sir.

HON DR R G VALARINO:

Could you let me know whether we have any bedsitters available at the present time for reallocation?

HON A W SERFATY:

That is not for me to answer, Mr Speaker, I don't dispose of bedsitters.

The Hon G T Restano

Will Government make a statement of the facts leading to the breakdown of the Hydrofoil "Sheherazade" shortly after leaving Gibraltar?

Answer:

The Minister for Tourism, Trade & Economic Development

Presumably the questioner is referring to a breakdown which was reported to have occurred on the 22 April 1977 when according to a verbal statement by the master the vessel stopped at 1640 hours when 34 miles off Punta Ciros and about 14 miles from Gibraltar. The master has stated that the cause of the stoppage was a shortage of fuel owing to a leaking connection in a flexible pipe supplying the starboard engine.

SUPPLEMENTARY TO QUESTION NO.172 OF 1977

HON G T RESTANO:

Mr Speaker, are there any safety regulations which must be complied with by passenger vessels taking passengers out of Gibraltar?

HON A W SERFATY:

I have discussed this matter with the Captain of the Port. The safety regulations apply to ships registered in Gibraltar and British owned shipping but not to foreign ships coming to Gibraltar with or without passengers.

HON G T RESTANO:

Mr Speaker, even if they take passengers from Gibraltar they have no regulations to comply with?

HON A W SERFATY:

Not with foreign shipping, no.

HON G T RESTANO:

Is the Minister satisfied with the situation? I think this is a very important question, Mr Speaker.

MR SPEAKER:

I am not saying whether it is important or not. I am saying that the question whether the Minister is satisfied is not for him to answer.

HON ATTORNEY GENERAL:

Our law governing merchant shipping is of course virtually the same as the Merchant Shipping Act in the United Kingdom which we follow very closely. As I understand it the position is the same in that country that foreign registered vessels are not, except with one thing called loadlines which is somewhat different, are not required to comply with specific safety regulations. This is, I understand, the whole reason for what they call flags of convenience which I am sure the Hon Member has heard of, where certain countries do not have such stringent regulations and for that reason large numbers of shipping companies register flags in those countries. The position here is the same, there are no passenger regulations which govern foreign registered ships.

HON G T RESTANO:

Mr Speaker, that of course is comprehensible, comprehensible certainly to merchant shipping, say, cargo vessels, tankers and what have you, but certainly not I would have imagined in respect of ships taking passengers out of Gibraltar regularly. This is not just a question of once a month or once a year, this is a regular service.

MR SPEAKER:

We must not have statements at question time.

HON G T RESTANO:

Well, Mr Speaker, may I ask then is the Government prepared to enact legislation to ensure that vessels carrying passengers to and from Gibraltar regularly do comply with certain safety regulations?

HON A W SERFATY:

On this matter we shall take the advice of the Attorney General. It is a matter of international shipping and we have got to watch it very carefully.

HON M XIBERRAS:

Alternatively, Mr Speaker, is Government prepared to pronounce on the safety regulations of a particular vessel which takes Gibraltarian passengers regularly away from Gibraltar? Surely this situation, Mr Speaker, is applicable to certain airlines, for instance.

HON A W SERFATY:

Not today, Mr Speaker.

HON M XIBERRAS:

Mr Speaker, not today, but does that mean never? Is the Government satisfied with the safety provisions on this particular vessel...

MR SPEAKER:

We are now going beyond the orbit of the question. The question could have been asked as to whether Government was satisfied with the safety regulations on board the ship that broke down. Then, of course, you could have asked pertinent supplementaries. What has in fact been asked is whether Government will make a statement of the facts leading to the breakdown.

HON G T RESTANO:

Mr Speaker, presumably under flag of convenience regulations there are even then certain safety regulations even for flags of convenience. Did this particular vessel comply with the regulations of flags of convenience for security purposes.

HON ATTORNEY GENERAL:

All the vessel is required to comply with, as far as safety regulations go, are the regulations of the country in which it is registered. It would cover safety regulations, the experience of masters, captains and other members of the crew. Different countries of course have different regulations as far as their registered ships are concerned. Those of the United Kingdom and Gibraltar are stringent.



HON G T RESTANO:

Mr Speaker, in this particular case does the Port Department make a survey to find out whether the conditions appertaining to that particular flag....

MR SPEAKER:

May I draw the Hon Member's attention to the fact that we are departing from the orbit of the question. We are not under the guise of the question asking for a statement on the facts leading to the breakdown going to discuss the safety regulations appertaining to this particular vessel.

HON J BOSSANO:

Mr Speaker, surely now that the facts are known to the House we are entitled to find out what the Government proposes to do to prevent a repetition of the same facts leading to another breakdown which might lead to the sinking of this hydrofoil with a lot of Gibraltarians on board.

MR SPEAKER:

On the shortage of fuel?

HON J BOSSANO:

Well, apparently the shortage of fuel was due to a leakage and presumably that might have been prevented if the vessel was required to check the adequacy of the equipment before it leaves Gibraltar.

HON CHIEF MINISTER:

There have been known leakages in British flag ships too.

HON J BOSSANO:

I daresay there are, Mr Speaker, but presumably since at least it has been imputed that British flag ships are required to meet certain safety requirements, the probability is less and if that is the case I think the House would like to know what sort of checks vessels are required to undergo before they leave port to prevent accidents.

MR SPEAKER:

You have been answered that as the regulations stand and under international convention, provided a vessel keeps to the regulations of the country they are registered in they are entitled to operate for hire in Gibraltar.

HON J BOSSANO:

Mr Speaker, but if, in fact, the vessel is required to keep at least to the regulations of its country of origin, what steps are then taken in Gibraltar to ensure that those regulations at least are being complied with?

MR SPEAKER:

That is a question you can ask.



HON A W SERFATY:

I have got a couple of supplementaries which I think I should read. The first one is that the master stated that the vessel was in radio contact with Algeciras, Ceuta, Tangier and Gibraltar and a tug arrived from Ceuta at 2030 hours and took the vessel in tow to that port. As soon as the incident came to the ears of the Captain of the Port he requested Commander P J S Coombes, the Port Surveyor, to enquire into the incident and the information given in this reply has been obtained as a consequence of the Port Surveyor's visit. The Port Surveyor has been on board the vessel.

HON G T RESTANO:

Mr Speaker, the Minister said that the Captain had claimed that he had been in radio contact with Algeciras, Ceuta and Gibraltar. Can the Minister confirm whether in fact the vessel was in contact with Gibraltar? Mr Speaker these are not frivolous questions.

MR SPEAKER:

I am not suggesting that the questions are frivolous. I am saying that they are not relevant to the question before the House.

HON G T RESTANO:

May I just say this, Mr Speaker, that the hydrofoil has provided an extremely good service to Gibraltar last summer and they brought in a lot of tourists and this is very good for Gibraltar and something of this nature coming up can undermine people's confidence in using the hydrofoil in the future and therefore I feel, if I may just say this, that we should be absolutely sure....

MR SPEAKER:

If I allow you every member will be able to make a statement every time he thinks he has got a motion which is of importance and I cannot break the rules for anyone. This is question time, that is all I am saying, and I must keep the rules. That is why I sit here.

HON J BOSSANO:

Mr Speaker, could I have an answer to my question which the Hon Member didn't answer because he read his statement which was in fact if every vessel has to comply with some sort of regulations enacted at its place of origin what sort of regular checks does Government have on vessels departing from Gibraltar to ensure that at least those requirements are being enforced before the vessel leaves port?

HON A W SERFATY:

The answer is none.

HON G T RESTANO:

May I ask, Mr Speaker, whether there is any truth in that fact that there were no tow lines available on the vessel?

HON A W SERFATY:

I couldn't answer that question.

HON G T RESTANO:

Did not the Minister say that in fact the Port Surveyor had been on board and checked on the precautions. Did he notice any lack of tow lines?

HON A W SERFATY:

Not as far as I am aware, Mr Speaker.

HON G T RESTANO:

Could the Minister get accurate confirmation of this for me, please?

HON A W SERFATY:

I will go into the matter and see whether we can go a little further but certainly not the point raised by the Hon Leader of the Opposition.

HON G T RESTANO:

It is not a question of considering, Mr Speaker, I think if the Port Surveyor has been on board....

MR SPEAKER:

The Minister has given you an assurance that he is going to find out and let you know.

HON J BOSSANO:

Does the Government have the power to send an official such as the Port Surveyor to check out the vessel if there is the possibility that it might not be seaworthy. Is there absolutely nothing that can be done? A ship can leave Gibraltar, presumably, with people and cargo on board and sink in the bay and the Government can do nothing about it. Is that the situation?

HON CHIEF MINISTER:

The answer really is that there is a comity of agreement between nations and that one expects other people's flags to observe the regulations as the British observe theirs and we observe ours. If there is any blatant danger that could be seen by the Captain of the Port, no doubt that would be brought into account and no doubt the company concerned would be told that in those conditions the vessel cannot visit Gibraltar, that would appear obvious, but what he cannot do and I think it quite clear, let us not try and mix up things because this is a matter of maritime international law, what a surveyor in Gibraltar cannot do is go and check up on the regulations of a foreign ship no more than a British ship would allow a foreign surveyor, say, in Tangier or Casablanca or Bordeaux or somewhere else to go and check whether the British Regulations are being observed by Britain. It is a matter of reciprocity and respect for other people, assuming that other people are going to carry out the regulations in accordance with the way in which they have been imposed in that country. It is as simple as that in that respect. Now, if you tell me that there is a ship there leaking and people are going in whilst they are sinking and we are going to allow them to go out, of course not, that would never be allowed but that would be so obvious that that step would be taken in those circumstances.

HON J BOSSANO:

Then there is some law somewhere that would enable the Government to stop that?

HON ATTORNEY GENERAL:

I did mention earlier, in answer to this question, Mr Speaker, the question of what are called "loadlines". These are international and we have the power in Gibraltar to prevent a ship sailing if its loadline doesn't comply with various conditions. I have just been checking on the Merchant Shipping Ordinance and I was wrong in one respect. Insofar as passenger ships are concerned, even if it is not a British registered ship, if it is trading or sailing from Gibraltar, it has to have a certificate as to compliance with certain regulations. These are certificates issued by a ship surveyor anywhere, so provided it has got this certificate then it can trade and pick up passengers from Gibraltar. But the certificate has got to cover certain points which are laid down here. I apologise for misleading the House, I was under a misapprehension as to the exact position. For passenger ships there are certain safety regulations which we can enforce here.

HON G T RESTANO:

Mr Speaker, has in fact that certificate been issued in respect of the hydrofoil in Gibraltar?

HON ATTORNEY GENERAL:

It is not a certificate issued in Gibraltar. It must be issued by a ship surveyor and that is defined as a recognised ship surveyor in any country. It would be quite impossible, I am sure the Hon Member appreciates, for every passenger ship, supposing the QE II comes in or an Italian crack passenger liner, for us to survey it here. All it has to do is to produce the certificate which has been issued by a competent ship surveyor.

HON G T RESTANO:

And the hydrofoil in fact produced the certificate?

HON ATTORNEY GENERAL:

I have no doubt that it did. I am laying myself open here to subsequent criticism but I cannot imagine, as it is required, and knowing the Captain of the Port to be an extremely zealous and efficient officer that this wasn't checked on. No doubt about it at all.

The Hon G T Restano

Has Government pursued the matter of the release of the Key and Anchor Club with M.O.D.?

Answer:

The Minister for Tourism, Trade & Economic Development

Yes Sir. Government has been informed that the Key and Anchor Club, with the exception of the NAAFI shop, can be relinquished by the MOD subject to certain reprovisioning costs being met by Government in connection with the retention of Inces Hall.

Government has indicated that it is willing to accept this commitment and a formal offer is now awaited.

SUPPLEMENTARY TO QUESTION NO. 173 OF 1977

HON G T RESTANO:

Is there any indication as to what date the premises will be taken over by Government?

HON A W SERFATY:

As it is, we have said that the amount of money which has to change hands will be included in next year's budget but we are hopeful that as soon as the work which has to be carried out in connection with Inces Hall is duly completed then we shall take possession of the Key and Anchor Club which will take a few months from now.

HON G T RESTANO:

Could Government give an indication as to what amount of money has to change hands?

HON A W SERFATY:

£35,000 is what the Government of Gibraltar has to pay to the MOD as being the cost of reprovisioning the facilities.

HON G T RESTANO:

Can Government say what they intend to do with the premises once they are in its possession?

HON A W SERFATY:

This has not yet been decided by Government.



The Hon G T Restano

Have the recommendations of the Development and Planning Commission on the future of Engineer House been considered by the Council of Ministers and if so have any decisions been taken?

Answer:

The Minister for Tourism, Trade & Economic Development

Government has accepted the recommendations of the Development and Planning Commission on the future of Engineer House which are as follows:-

1. the property is to be redeveloped essentially for residential purposes,
2. buildings are to be restricted to the level parts of the site so as to leave the surrounding terrain free for amenity purposes for the residents,
3. the density of the development should not exceed the statutory maximum of 4:1,
4. parking must be provided within the site on a 1:1 basis, that is, one car space per dwelling,
5. the boundary of the property should be cut back some 8 to 9 feet along Engineer Lane to allow the road to be widened,
6. provision is to be made by the developers for a footpath along the northern edge of the property to form a public link between Castle Ramp and Engineer Lane, and
7. the Old Model Room should be demolished for purposes of additional access to Engineer House.

Government has accepted the overriding need to restrict development to reasonable proportions compatible with the character of this densely populated part of the City and to avoid any deterioration in the present conditions as regards parking and other facilities. The Commission also recommend that if satisfactory tenders were not received the site should be zoned as a public recreational area part of which would be reserved for parking.

The tender documents are now in course of preparation.

SUPPLEMENTARY TO QUESTION NO. 174 OF 1977

HON G T RESTANO:

So, in fact, Mr Speaker, the Council of Ministers have accepted the recommendations of the Development and Planning Commission. Has therefore the site been put out to tender, has it been advertised anywhere?

HON A W SERFATY:

Not yet, the tender documents are in course of preparation. When the tender documents are ready, and they are now in the course of preparation, the site will be advertised.

HON G T RESTANO:

And what time limit, Mr Speaker, has been given for tenders to be accepted, is there any time limit at all?

HON A W SERFATY:

This hasn't been decided yet as far as I am aware.

HON G T RESTANO:

I am not talking about tenders for the work or for the purchase, I mean tenders for to buy the site, to start working. Surely if the papers are being prepared, surely that is one of the conditions that should be put in. I mean, the tenders must be in by a certain date.

HON A W SERFATY:

I am not in a position to say that now.

HON G T RESTANO:

Will a time limit not be put into the tenders?

HON A W SERFATY:

Of course it will.

HON MAJOR R J PELIZA:

Is the Minister taking into account the social needs of Gibraltar in the actual type of dwelling that will be required to be built there?

HON A W SERFATY:

Yes, this will have to be considered when an application is made for approval of the outline scheme, this is what usually happens. For this kind of development the developer, if there is one, will send the scheme for outline approval and the Development Commission will look very deeply into it before approving.

HON MAJOR R J PELIZA:

But isn't that rather misleading? Wouldn't it be better if the Government has got a plan at all, which I doubt if they have, wouldn't it be better for the Minister to actually set out the conditions which the developer will be required to fulfil. For instance, I am thinking and I think the Government is in agreement with this, the building of flats for young people.

MR SPEAKER:

Order. This is question time. We are getting now to the stage we were about three years ago when we were always making a statement everytime we asked a question.

HON MAJOR R J PELIZA:

Is the Government bearing in mind the need for flats for young people who might be able to purchase them and will they put this as a condition to the developer?

HON A W SERFATY:

No, Sir.

HON MAJOR R J PELIZA:

What has the Government got in mind then, more people from abroad coming here to buy the flats? Is that the way they intend to help Gibraltar?

HON A W SERFATY:

There are many ways of helping Gibraltar but the Commission will want to see the outline plan before saying anything about it.

HON MAJOR R J PELIZA:

Yes, but isn't it a fact that most of the new flats available in Gibraltar are being bought by people who live outside and the locals are left without flats and can't the Government do something about it with the little terrain that we have left?

HON A W SERFATY:

The Government is doing something about it in another context.

HON MAJOR R J PELIZA:

Will the Minister say what the Government is doing about it in another context? As far as I know there are 77 flats we are never going to see. I am asking whether in this particular bit of land that is available which is very precious - and there is very little left in Gibraltar - whether they intend to use it to the maximum benefit of the people of Gibraltar...



HON ATTORNEY GENERAL:

We are to a certain extent restricted as to the conditions under which the new site can be let and this is because the terms of the original contract which was not made by the present Government under which if the site had been given up as it was, then it has to be let out on very much the same terms. I don't think, with respect, that the Hon and Gallant Member opposite can blame this Government for the restrictions with which it finds itself imposed as far as Engineer House is concerned.

HON MAJOR R J PELIZA:

But with respect to the Attorney General, Mr Speaker, isn't it a fact that the Government which originally left that ground go was very much the same one which is here today? We were trying to recover the land, Mr Speaker, which was not possible I think because of the legal intricacies involved.

MR SPEAKER:

The answer is that the Government is not prepared to do what you want.

HON MAJOR R J PELIZA:

Mr Speaker, and this is the whole point, I do not agree and I can't agree and this is what I am trying to argue. Isn't there any other way of ensuring, if necessary through legislations, that whatever bit of land is left in Gibraltar ....

MR SPEAKER:

Order. That is what I have ruled out of order about 10 minutes ago. You are concerned about dwellings for the people of Gibraltar, consequently since there is a site available, you are now asking Government whether they are prepared to consider the site for this purpose. Government has told you that they are not prepared to do so and the Attorney General has told you that they have their hands tied and therefore the answer is no. It is no use asking under this question whether Government is going to do something about bedsitters on another site because it doesn't come <sup>under</sup> this question.

HON MAJOR R J PELIZA:

I am not talking about another site, Mr Speaker, I am talking about this one. All I am saying is that the Minister came out saying that they had other things, and I don't see what they have and they now say that the difficulty is a legal one. It appears to me that the Government does not want to do it.

HON G T RESTANO:

Mr Speaker, will Government be tendering for the site itself?

HON J BOSSANO:

Is there a reserve price?



HON ATTORNEY GENERAL:

I imagine that there will be a reserve price put.

HON J BOSSANO:

Well, is it the policy of the Government to put a reserve price instead of the imagination of the Attorney General.

HON CHIEF MINISTER:

This is the result of the original documentation. A certain minimum amount must go to the original intended developer.

HON J BOSSANO:

Mr Speaker, I am asking about the price that the prospective developer will have to pay to obtain the site. The Government itself, presumably, puts some value on the site for its own needs and I am therefore asking whether there is a price below which it will not be allowed to go to a private developer. That is what I am asking.

HON A W SERFATY:

As far as I am aware and I haven't seen the original document which was prepared many years ago, I do not think there is any mention of a minimum price on the sale.

HON ATTORNEY GENERAL:

My recollection is that under the terms of the original agreement if the original developers fail and the Government re-enters as has been the case, then Government is under certain obligations to put the site up to tender. There is no restriction on the price and, of course, the purchase price goes not to Government but to the original developers.

MR SPEAKER:

The matter has been discussed in the House umpteen times and I can tell you that any difference between the difference that Government gets now and the first developer paid will be given to the first developer. I am telling you from memory what was discussed in this House about a year ago.

HON J BOSSANO:

Mr Speaker, perhaps your memory will serve me as well to the effect that the Government gave a commitment that before they allowed the thing to be put on sale again they would look at the possibility of introducing legislation in order to tax this windfall gain to the original developer who has done nothing except a disservice to Gibraltar by having the place undeveloped for so many years. I have a distinct recollection of the Chief Minister saying that they were looking at that when I suggested that when the matter was previously discussed.

HON CHIEF MINISTER;

I cannot imagine my saying that we would tax. I may have said we will take whatever steps are required to see that the land be used in the best possible way. In fact I think if I may say so that as I understand it the proposals now differ considerably and it is being done and I think with our eyes open, they differ considerably to the conditions under which they should have been put to tender under the original agreement. We are taking that responsibility and we are taking that risk, that is, setting aside much more for public use than was originally intended in the agreement. I may have said that and this is what we have done. Mr Speaker, this is a very important matter and I appreciate the concern of Members opposite and in fact all of us being concerned about this matter. I think that at the next meeting apart from the fact that the development is being made in accordance with the terms of the Development and Planning Commission putting out the tender, I think that we owe to the House an explanation of the legal position, the situation in which the position stands and the rights that the original people who purchased the property have and the extent to which these are being curtailed. It would not be fair to say at this stage that we are going to legislate to overrule a contract of Government because I don't think that that is proper. However unfortunate that doesn't give confidence to other people coming for developing if they see that any particular deal can be overruled by legislation, all you can do is to avoid it happening again. But I think the House because this matter has been dealt with before and perhaps our recollections are at variance, that we should have a comprehensive statement prepared for the House and, if necessary, to debate it.

MR SPEAKER:

In the light of that assurance we will leave it. Next question.

Will Government state when the re-siting of the Revenue Station at Waterport is due to commence?

Answer:

The Minister for Tourism Trade & Economic Development

The re-siting of the Revenue Station is one of a series of moves following each other in sequence. The first move is for the Port Department to be transferred to new offices at the western end of the North Mole. Work has already started on the preparation of the necessary plans and documents preparatory to putting the work of conversion out to tender.

It is therefore anticipated that it will not be possible to start work on the present Port offices for the Revenue Station until approximately 18 months hence.

SUPPLEMENTARY TO QUESTION NO.175 OF 1977

HON G T RESTANO:

So, Mr Speaker, the Port Office is to be transferred to the Western Arm. I understand that at one time the problem of changing the Port Office to the Western Arm was that there was a hostel there. Has this, in fact, been cleared?

HON A W SERFATY:

The matter is being negotiated with the Stevedoring Company who are moving from there on termination of the lease to make room for the Port Office and they are going somewhere else.

HON G T RESTANO:

I see. Can the Minister say when the lease, in fact, terminates because we have been waiting for that hostel to be vacated for many many months now.

HON A W SERFATY:

The Hon Member is referring to the Hostel at the Western Arm. That as far as I understand has terminated already. The Stevedoring Company, as the House may probably know, were offered the Red Ensign Club in Engineer House which they have not accepted so now we are negotiating with them so that they can have these facilities somewhere else in the Port area.

HON G T RESTANO:

Mr Speaker, so therefore the Stevedoring Company is still occupying the premises at Western Arm which the Port Department is due to go to and the Stevedoring Company have refused premises which has been offered to it but is still clinging on to that particular one. Is that correct?

HON A W SERFATY:

Yes, they have refused the premises at Engineer Lane and I believe they are still using the one where the Port Department is going but as I have said they are moving to a place near that site for the facilities that they require in the Port area.



HON G T RESTANO:

So they are retaining that site without a lease when that particular site is required for the further development of the Port which will be good for the whole of Gibraltar. Is that correct, Sir?

HON A W SERFATY:

Well, I wouldn't put it that way. It would be unfair on the Stevedoring Company to put it that way. The Government refused to extend the lease because they required the building for the Port Department so we offered them another site and now we are negotiating because they don't want that one, for whatever reasons, for another place in the Port area where the facilities can be provided. So I wouldn't put it that they are holding on to the site.

HON G T RESTANO:

Mr Speaker, in the context of the whole process of the redevelopment of the Port it seems to me to be a very long process that one small hostel is holding up progress.

MR SPEAKER:

We are deviating. The original question asked: "Will Government state when the re-siting of the Revenue Station at Waterport is due to commence." The answer has been that for the purposes of doing this you have got to rehouse some people and you have got to move them out. These people are refusing to move out until they are given alternative accommodation. Let us ask supplementaries on the Revenue Station by all means but let us not side track the issue.

HON G T RESTANO:

Mr Speaker, in fact they have been offered alternative accommodation but they haven't accepted alternative accommodation. I think that if alternative accommodation has been offered and the Government requires that particular site to redevelop the Port, then if they don't accept the site that has been offered they should be asked to vacate the premises.

MR SPEAKER:

Yes, but this is only relevant to find out when the Revenue Station is going to be re-sited and nothing else.

HON G T RESTANO:

I thought, Mr Speaker, that the Minister had said they cannot resite the Revenue Station until they get rid of the people on that hostel.

MR SPEAKER:

Precisely, that is the answer.

HON G T RESTANO:

And Government hasn't said what they intend to do about it.

HON A W SERFATY:

The Public Works Department say that they propose to start work in November 1977, so the site is not really required until then. I am hopeful and I am confident that by then the Stevedoring Company will have moved out. I don't see any problem whatever.



The Hon G T Restano

What extra facilities at the Port has Government asked for from M.O.D. and what stage has been reached in the negotiations?

Answer:

The Minister for Tourism Trade & Economic Development

We have asked for additional space at the base of jetties 3 to 5 for containers. The MOD have agreed to let us have part of the area required on conditions which are now being considered.

We have also made enquiries about Jetties 4 and 5 which have produced a favourable reaction from the Ministry subject to reprovisioning of certain MOD installations for which there is a continuing defence need. One of the questions raised by the possible transfer of North Mole is the question of compensation for reclaimed land which is at present under discussion with London.

The Hon Dr R G Valarino

Was Government aware that two types of miniature sheets issued by the Post Office to commemorate the Silver Jubilee were produced by the Crown Agents and on whose authority did the Crown Agents print these?

Answer:

The Minister for Postal Services.

Only one type of miniature sheet was printed by the Gibraltar Post Office to commemorate Her Majesty's Silver Jubilee. The miniature sheets were printed on sheets of six rouletted in between. However, a number of miniature sheets appeared on the market which had been guillotined. This was not done on the instructions of the Crown Agents, but was due to an operational error on the part of the printers. The discrepancy was not noticed until the sheets were already on the market.

The Hon Major R J Poliza

Since the poisonous fumes emanating from the Electricity Generating Station spread into <sup>the</sup> living quarters of people living close to the station could Government monitor its density inside premises which are likely to be most affected to ascertain whether these fumes are a serious health hazard?

Answer:

The Minister for Medical & Health Services

For the last year tests have been carried out in the neighbourhood of the power station in accordance with WHO instructions and it has been found that there is no serious danger to health.

I am further advised that no useful purpose can be served by testing within houses as this would only give erratic readings. What the equipment measures is atmospheric pollution and we know from tests carried out between October 1975 to September 1976 that the position is as follows:

- (1) The Annual Geometric Mean for the area covered by the samplers is  $34.5 \text{ ug/m}^3$  Sulphur Dioxide and  $13 \text{ ug/m}^3$  Smoke as suspended particulates. These figures are below the WHO Expert Committee on Air Quality Criteria and Guides for Urban Air Pollutants which lists the Annual Geometric Mean at which pollutants produce visibility and/or human annoyance effects at  $80 \text{ ug/m}^3$  for each of the said pollutants.
- (2) The Annual Arithmetic Mean for the same area is  $74.7 \text{ ug/m}^3$  Sulphur Dioxide and  $23.7 \text{ ug/m}^3$  Smoke. These figures are also below the abovementioned WHO Committee's Annual Arithmetic mean level of  $100 \text{ ug/m}^3$  for each of the said pollutants which is the level at which respiratory symptoms appear.

The houses in the area cannot therefore get more pollution from the power station than that produced in the atmosphere which does not constitute any serious health hazard. In fact I am told that heavy smoking within a room would produce a more serious health hazard.

SUPPLEMENTARY TO QUESTION NO. 178 OF 1977

HON MAJOR R J PELIZA:

Mr Speaker, without blinding us with science could the Minister, explain why it would be more erratic to test this inside a room than outside in the open?

HON A P MONTEGRIFFO:

It is very obvious to me as a layman. If you take the atmosphere outside which takes into account not only the pollution from the power station but also the pollution from exhausts of cars, if it does get into the house it cannot be more because the houses are nearer the chimney and hence the smoke is likely to get into the house. But if you put one of these test machines into the house you will probably get people smoking and there will be more pollution than the pollution outside in this particular area.

HON MAJOR R J PELIZA:

But isn't it a fact that if you have fumes going into a room and there is no way of getting it out as is the case in the open atmosphere it is likely to accumulate much more inside than outside.

HON A P MONTEGRIFFO:

I am told that you cannot get fumes going straight into the house because the houses are just below the particular chimney.

HON MAJOR R J PELIZA:

Mr Speaker, if the Minister were to go into those rooms he would smell the fumes.

HON A P MONTEGRIFFO:

I accept that the smell must not be nice because my brother gets it in his house near the power station.

HON MAJOR R J PELIZA:

And what other way can an individual monitor the amount of fumes if it is not through the nose.

HON A P MONTEGRIFFO:

I couldn't say, Mr Speaker.

HON M XIBERRAS:

Mr Speaker, who did the Minister say was carrying out these tests?

HON A P MONTEGRIFFO:

These tests are carried out by the Environmental Chief Officer, formerly known as the Chief Public Health Inspector, and he is advised by a particular expert organisation in England who in turn follows the WHO instructions. This is done in consultation with the relevant experts in the UK who follow WHO guidelines and not only have I had advice from the Chief Environmental Officer himself but also from the other person who is a Medical Officer of Health who is also advising us and happens to be the man in charge of the Naval Hospital.



The Hon Dr R G Valarino

Will Government state the conditions of the engines at the Generating Station and state how many are under repair and not in use and how many are not working at maximum efficiency due to mechanical problems and lack of maintenance and/or spare parts?

Answer:

The Minister for Municipal Services

Condition of the 7 engines at KBS, bearing in mind that some of these engines have been running since the early 1940's and have logged over 126000 running hours one can say they are still in very good condition, and none are due for major overhauls for the time being - these engines of course are of low output and the recommendations are that they be phased out.

At KBN Station:-

No. 9 just over 2500 hrs since last general overhaul and in good running condition.

No.10 completely dismantled and overhauled and awaiting for the successful contractor to carry out extensive repairs to the foundation block.

No.11 just over 4000 hrs since last general overhaul and in good running condition.

No.12 undergoing scheduled general overhaul and should be back in commission shortly (say another two weeks due to the crank gear failure).

No.13 this engine is being top overhauled as load demand permits and half the engine has in fact already been done - there is in this engine a technical problem with one of the turbochargers and we are in communication with the engine manufacturers to resolve it, as a result of this problem the engine has been derated by about 20%.

SUPPLEMENTARY TO QUESTION NO. 179 OF 1977

HON DR R G VALARINO:

A very good and comprehensive answer. After how many hours do you usually do a general overhaul?

HON MAJOR F J DELLIPLANI:

After 6,000 hours so this means that No.9 and No.11 would require general overhaul at 6,000 hours.

HON DR R G VALARINO:

Talking about subsidence of floor. I believe the Minister said the foundation was subsiding and was due to be repaired.

HON MAJOR F J DELLIPLANI:

That is correct. In No 10 engine the foundation work was found to be faulty. There were cracks and the oil was getting in through the cracks and was damaging the foundation.

HON DR R G VALARINO:

No.13 is the big engine, isn't it?

HON MAJOR F J DELLIPLANI:

That is correct.

HON DR R G VALARINO:

This one has a reduced efficiency?

HON MAJOR F J DELLIPLANI:

This is for the time being until we resolve a technical problem about which we are in communication with the manufacturers. It is working at 20% less than the rated output.

The Hon G T Restano

Is Government aware that applicants for new Telex connections have been awaiting for these connections to be made for many months now. Is Government satisfied with this situation and if not what has Government done to rectify this situation?

Answer:

The Minister for Municipal Services

Yes Sir. The Government is aware and is not satisfied. This situation has arisen as a result of blacking of Telex circuits by TGWU industrial personnel in the Telephone Department due to industrial disputes between this Union and Cable and Wireless.

SUPPLEMENTARY TO QUESTION NO.180 OF 1977

HON G T RESTANO:

Mr Speaker, what has Government done to rectify the situation?

HON MAJOR F J DELLIPIANI:

I have done nothing about it.

HON G T RESTANO:

Mr Speaker, this shows total lack of leadership and this is what is required in this situation, a bit of leadership to try and get both sides together. May I ask why Government does not take a bit of initiative in this, a bit of leadership, and try to get both sides together to rectify the situation so that telex connections can in future be made.

HON CHIEF MINISTER:

The Government has done what is possible to prepare conditions so that meaningful negotiations can take place. The Minister he has nothing to do with industrial relations. He is just answering the question on the situation of the telex. It is no use saying that you have got the people together unless the circumstances are such that people are in a position to make progress and I can tell this House that I have done whatever I have considered to be as far as possible to prepare the situation where it will be possible to come to some conciliation in the matter.

HON P J ISOLA:

Will Government consider for the future once this problem has been resolved, hopefully very soon, will Government consider in future collecting the landline rental for the telexes direct from the users and not through Cable and Wireless. As I understand the situation if this had been the case there would not have been this problem. I am not suggesting this is the way to solve the present dispute but it seems to me that if a rental is paid by a subscriber to Cable and Wireless who hand the rental in its entirety to the Government, it might be simpler if the contract was between the subscriber and the Government as far as the landline is concerned. Would not that help to prevent this sort of situation arising in the future?

HON CHIEF MINISTER:

I don't think that we can do anything to prevent the situation whereby industrial action can affect people, unfortunately.

HON G T RESTANO:

Mr Speaker, the Hon and Learned the Chief Minister has said that he had prepared the ground for negotiations. Has he, in fact, got in touch with both parties?



3.

HON CHIEF MINISTER:

I have not got in touch with any party. I have said I have prepared the ground for it.

HON G T RESTANO:

He says he has prepared the ground. What has he done?

HON CHIEF MINISTER:

I have tried to be helpful but if the Hon Member wishes to pry more and more the answer will be less and less helpful because this is a delicate matter on which I do not want to say anything that will avoid it. It is very easy to put questions, it is not so easy to give the answers that will produce the results that the questioner desires.

HON G T RESTANO:

It is also a lack of public concern, Mr Speaker.

MR SPEAKER:

Next question.

No.181 of 1977

ORAL

The Hon J B Perez

Will Government confirm whether either of the Consultant Surgeons in the Medical Department have tendered their resignation?

Answer:

The Minister for Medical & Health Services

No, Sir.

SUPPLEMENTARY TO QUESTION NO.181 OF 1977

HON J B PEREZ:

Can I take it that none have tendered in their resignation so far.

HON A P MONTEGRIFFO:

None of the two surgeons.

No.182 of 1977  
The Hon Dr R G Valarino

ORAL ( .

Will Government consider the acquisition of the John Mackintosh Homes in Line Wall Road<sup>and</sup> their conversion into a Health Centre catering for the South District of Gibraltar and/or a convalescent hospital.

Answer:

The Minister for Medical & Health Services

Government does not contemplate taking over the Mackintosh Homes at Line Wall for the purpose of a Health Centre or a convalescent Hospital.

SUPPLEMENTARY TO QUESTION NO.182 OF 1977

HON DR R G VALARINO:

Could I ask the Hon Member whether Government considers the necessity for another Health Centre in that part of town?

HON A P MONTEGRIFFO:

It doesn't arise out of the question but I would say that during the present term of office of the Government it is not within its thinking to start another Health Centre.

The Hon G T Restano

Will Government explain why the 14 Geriatric beds donated by the Chamber of Commerce, and received over three months ago, have still not been put to use?

Answer:

The Minister for Medical and Health Services

As explained to the House on previous occasions, the Ward, which will eventually take geriatric patients, is for the moment available for decanting whilst the modernisation of St Bernard's is completed.

SUPPLEMENTARY TO QUESTION NO.183 OF 1977

HON G T RESTANO:

How long, Mr Speaker, has that particular ward been used for decanting?

HON A P MONTEGRIFFO:

On and off it has been used for about the last 14 months, I would say. At the moment I think children are in there.

HON G T RESTANO:

I presume, therefore, that other wards are being renewed and that patients which would normally go into those other wards are going into the Geriatric Ward. Is that correct?

HON A P MONTEGRIFFO:

Yes, in fact, the patients of the present Geriatric Ward spend the time in this particular ward whilst the old Geriatric Ward was being modernised.

HON G T RESTANO:

When can it be expected that the new beds can be put in the new redecorated ward?

HON A P MONTEGRIFFO:

I would be very unhappy if during the course of the next three or four months it is not open already as a Geriatric Ward.



The Hon G T Rostano

When and where was the vacancy for an eye specialist first advertised?

Answer:

The Minister for Medical & Health Services

The advertising for officers recruited through OS/S is done by the Ministry of Overseas Development on our behalf.

Though we have informed ODM through correspondence, phone calls and telox, that the filling of this post is urgent and essential they tell us that, with the best will in the world, it is not possible to get an advertisement in the professional journals until about the end of May and even if, following the advertisement, a suitable candidate were to become available, he would not be able to come to Gibraltar until he had given 3 months notice to his employer.

Apart from the recruiting action being carried out by ODM we have for the last few weeks contacted direct two ophthalmologists to come over either as locums or on a contract but without positive results and we are awaiting a reply from two others who have been contacted. We have also got in touch with Moorfields Hospital who tell us that they also are finding difficulties in recruiting. The Head Of Clinical Studies at St Marys has also been approached, and we have requested the British Embassy in Rabat to explore the possibility of obtaining for us an ophthalmologist from Morocco who could be prepared to come to Gibraltar for three or four months or fly over twice a week, but without any results so far.

In the meantime the Naval Hospital is covering for us exclusively for emergencies, and we have employed a local optician to do refractions.

SUPPLEMENTARY TO QUESTION NO. 184 OF 1977

HON G T RESTANO:

Mr Speaker, there does seem to be a slight contradiction there. On the one hand the Minister has said that it is ODM who recruits and on the other hand he says that the Government is also putting out feelers. If the Government can put out feelers to the different hospitals and what have you, why didn't they do so right at the beginning if they knew that the ODM took such a long time in placing the advertisements?

HON A P MONTEGRIFFO:

Correct, no contradiction. Before the things went through the process of the ODM which I have found out now is a very long process, we tried to recruit without going through OSAS. In fact, there was a stage when I thought that already OSAS had cleared their decks and the name given to me by Dr Valarino was passed over the Department in Britain and they said that at that stage they could not take him on, that they still had to make other contacts with Gibraltar. But if you recruit outside OSAS the man who comes to Gibraltar gets less money. OSAS salary is aided. We are trying ourselves to do two things, while they go through all the bureaucratic procedure, we are trying to get in contact with different people to contact OSAS before even the advert appears or to contact Gibraltar direct if they want to come for a lesser salary than OSAS is prepared to offer them.

HON G T RESTANO:

Mr Speaker, when was ODM first informed that an eye specialist was required?

HON A P MONTEGRIFFO:

The papers left Gibraltar on the 28th March but in between of course you have got to try and persuade the Ministry of Overseas Development to accept taking an officer under their wing because you must prove that you haven't got a local man, that you have not made an attempt to train a local man and then they say: "Alright, send us the papers, we are prepared to sponsor him."

HON G T RESTANO:

The question was when was ODM first asked to advertise?

HON A P MONTEGRIFFO:

On the 28th March. Once they had agreed that they would do it the papers were sent over.

HON G T RESTANO:

And when, in fact, did the eye specialist that we had first tender his resignation?

HON A P MONTEGRIFFO:

On the 15th February.

HON G T RESTANO:

Mr Speaker, isn't that quite a long time for ODM to be advised to advertise, over a month, on such a delicate matter. It seems to me to be a very long period of time.

HON A P MONTEGRIFFO:

Yes, it looked like that to me also. We don't do the recruiting or know the procedures of how the things are done. All the Minister does when he comes to know as I knew on the 17th February when the letter reached our office, that we needed an ophthalmologist, is to say "Get on with the job." But getting on with the job is a lot of paperwork, and this I found out. On the 17th February the Administrator got the letter and that was sent to the Secretariat who have got to be informed that the man has resigned or is retiring and they tell us he is entitled to. That letter left on the Friday and it is rather unfortunate that all the letters appear to have been sent backwards and forwards on a Friday. Because of the weekend in between it reached the person concerned in the Secretariat on February 22nd and 3 days later, on February 25th, a letter was sent to the Medical Department and here again February 25th was a Friday and the letter arrived on February 28th. Papers for replacement were prepared on the 2nd March and it is here that I accept that something went wrong between the 2nd and the 20th March because we put in the paper for ODM, in trying to convince them that we needed an eye specialist, that we required an ophthalmologist of not less than a Registrar status. The reason for the delay was the fact that we did not have the salary of a Senior Registrar and it took 9 days to find out the scale. Then we found out what the relativity in applying Scamp would be and that took unfortunately 9 or 10 days. Apart from those 9 days everything else went according to bureaucracy.

HON G T RESTANO:

Mr Speaker, therefore the man in question in fact wrote in his resignation on the 15th February and he left on the 28th March.

HON A P MONTEGRIFFO:

No, he left later on. The papers left Gibraltar in the diplomatic bag on the 28th. Dr Suarez was still in Gibraltar.

HON G T RESTANO:

In that case when in fact did he leave?

HON A P MONTEGRIFFO:

Sometime early April.



HON G T RESTANO:

Is it normal, after all, I think Dr Suarez had been here for very many years,....

MR SPEAKER:

I am not going to allow this. We are asking a question and we are making it an excuse to investigate every single aspect of one particular set of circumstances. The question was a simple one. "When and where was the vacancy for the eye specialist first advertised?" We are now going into investigating the circumstances surrounding the actual resignation of the man who held the post before.

HON G T RESTANO:

Mr Speaker, what I would like to know is if after so many years....

MR SPEAKER:

I know what you are going to ask. Is it normal for a person who has given so many years service to the hospital to give such short notice of his resignation. Well, that is investigating the circumstances arising out of the resignation.

HON G T RESTANO:

May I then ask that in view of this would the contract for the next eye specialist contain some sort of clause to prevent the very short period of time between the man's resignation and the man leaving Gibraltar.

HON A P MONTEGRIFFO:

I assume that Dr Suarez took the attitude he took because he thought he had been shabbily treated by Gibraltar. I have been talking about this matter with the Establishment Officer and they are hoping to change the Colonial Regulations, call it what you like, in order to be able to find ways and means that people should give a longer period of notice of at least 3 months.

HON G T RESTANO:

Also in dealing with medical specialists will Government ensure that if there are any future resignations there is no undue delay in getting a replacement.

HON A P MONTEGRIFFO:

Oh, yes.



No.185 of 1977

ORAL

The Hon J Bossano

Can Government say whether any flats in Trafalgar House have been offered to Government and if so will they further state:

- (a) how many
- (b) when were they offered
- (c) at what cost per flat

and has Government any intention of accepting the offer?

Answer:

The Minister for Housing & Sport

37 flats at Trafalgar House (of which 7 are occupied) have been offered to Government. The offer was made on 11 January 1977. This offer is still under consideration and it would not be fair to disclose the prices at this stage.

SUPPLEMENTARY TO QUESTION NO.185 OF 1977

HON J BOSSANO:

Mr Speaker, in looking at the price that the Government is being asked to pay is Government also looking at the price that the present owners paid for Trafalgar House not so long ago?

HON H J ZAMMITT:

Mr Speaker, it is one of the matters that has been considered.

HON M XIBERRAS:

Mr Speaker, is there any further factor which Government is considering, for instance, taking on tenants or things of that sort. I am thinking, Mr Speaker, of the question that was put some time ago when certain tenants were going to be moved from Trafalgar House.

HON H J ZAMMITT:

Mr Speaker, seven of these flats are occupied. It is a matter of consideration of what to do. Government could buy some, could not buy any or could buy 7 or 10 or 15 or some with the tenants in occupation. It is a matter which is being considered, Mr Speaker.

HON M XIBERRAS:

Is the Government proposing, as part of the deal, to surrender Government property to the person who is selling the flats. Is that part of the deal.

HON H J ZAMMITT:

Mr Speaker, there is absolutely no deal, there are negotiations at the moment.

HON M XIBERRAS:

Has that entered into the negotiations?

HON H J ZAMMITT:

I cannot say if that particular angle forms part of the deal. I don't think there is anything concrete about a specific thing. It is being offered as a package or individual flats.

HON M XIBERRAS:

Mr Speaker, can the Minister say categorically that in these negotiations, the people who are selling the flats have not suggested that Government property be surrendered to them as part of the deal.

HON H J ZAMMITT:

That is not so, Sir. No, Sir.

HON M XIBERRAS:

Would the Hon Member be very careful if it is in the future?

HON H J ZAMMITT:

Of course.

HON J BOSSANO:

Mr Speaker, could I just ask the Hon Member what stage has been reached since these negotiations have been going on for 5 months now.

HON H J ZAMMITT:

Mr Speaker, the whole thing of course started because there were a number of tenants that were being dispossessed and obviously they came back to the Housing Department as candidates for reaccommodation. It was found to be an extremely dangerous area for some certain reason and therefore we had a closer look into the affair. Then of course the owners of the property offered the sale of the houses not only to Government but even to the tenants themselves and it was found to be somewhat hard for some of the tenants to buy and therefore there was an offer made to Government. Some flats are virtually ready for occupation, some are occupied already and I think by the end of 1977 the total number of 37 flats will be available to Government. In that general sort of offer Government has been studying this and we hope to be able to come to some conclusion I hope not in the too distant future. I know for a fact that things are moving, Sir.

HON DR R G VALLARINO:

Mr Speaker, is there a clause in this possible sale between the owner of the property and Government so that the longer that Government takes to acquire the flats the more expensive they will become?

HON H J ZAMMITT:

Yes, that is so, Sir. I am not very sure of the figure I think it is a very minute, 1 $\frac{1}{4}$ % increase per month.

HON M XIBERRAS:

Could I ask who is handling the negotiations.

HON H J ZAMMITT:

Mr Speaker, I have no doubt that this is being handled by the Lands Surveyor and Planning Secretary and his staff in conjunction with the Housing Department.

The Hon M Xiberras

Will Government say whether there has been increased use of parking tickets in the last three months?

Answer:

The Hon the Attorney-General

Yes. Up to the 11th May there had been 2015 parking tickets issued this year. In the whole of 1976 there were 1938 parking tickets issued.

SUPPLEMENTARY TO QUESTION NO.186 OF 1977

HON M XIBERRAS:

Mr Speaker, does the Hon and Learned Member recall the assurances that were given to the House when legislation on parking tickets was introduced ie that they would be used sparingly?

HON ATTORNEY GENERAL:

My recollection is that there was no undertaking they would be used sparingly but they would be used with discretion but in cases where there was obstruction. I think it is fair to say that in virtually every case there is an element of obstruction and I will further say that there have been more and more complaints coming to the police of parking offences from members of the public.

HON M XIBERRAS:

Mr Speaker, I hesitate to say that the Hon Member responsible for the Department to the House has been misinformed. I can quote examples, Mr Speaker, would the Hon Member take note, of whole rows of parking tickets being put down without there being an obstruction caused. Would the Hon Member make absolutely certain that this gigantic increase in the use of parking tickets despite assurances to the House is due to the reason that he has given the House?

HON ATTORNEY GENERAL:

One of the reasons for the increase is that this year there are more police officers on the beat. Last year the police force was not up to strength and the policeman on the beat was not up to strength. They were unable at that time to deal with all parking. Now they are up to strength and it is more easy to deal with violations of the Traffic Ordinance.

HON M XIBERRAS:

Mr Speaker, is the Hon and Learned Member suggesting that the increase which he has quoted in the use of parking tickets is, in fact, proportional and corresponds to the increase in the numbers in the police force?

HON ATTORNEY GENERAL:

No, I won't say that.



HON M XIBERRAS:

Mr Speaker, is the Hon Member really satisfied with the answer he has provided the House to this question and would he refresh his memory by looking at the Hansard when the parking tickets legislation was passed in this House and will he ensure and give a categorical and clear statement to the House that the conditions which Government said it would abide by at the time this controversial legislation was taken to the House are in fact being abided by now, or is the police a law unto itself.

HON ATTORNEY GENERAL:

The police, of course, is not a law unto itself but it has a duty to enforce the laws and if a police officer is satisfied that there is an offence for which a parking ticket may be issued, and the Hon Member of course is aware that the offences for which these may be issued are restricted, and the element of obstruction is there, then tickets are issued.

HON MAJOR R J PELIZA:

Is the Attorney General aware that in a long stretch of Irish Town where there can be no obstruction, those parking their cars are constantly being chased by the police and in fact every shop owner in the area has signed a petition which was sent to the Transport Commission and they have not even had a reply. Could the Attorney General give an assurance that for instance in that stretch of road where there can be no obstruction this sort of thing will not continue?

HON ATTORNEY GENERAL:

I think with respect although the Hon and Gallant Member says there can be no obstruction, of course there can be an obstruction and that is why there are parking regulations there in the first place. But although this is not strictly relevant to this particular question I would remind the Hon and Gallant Member that the introduction of parking tickets was not to create a new offence, it did nothing of the sort, it merely made somewhat more simple the procedure for dealing with persons who were violating traffic regulation.

The Hon J Bossano

Can Government explain why the bus operating on No.4 Bus Route is not allowed to discharge passengers at the North end of Eastern Beach?

Answer:

The Minister for Housing & Sport

Transport Commission is responsible for determining bus routes. Routes 2 and 7 have terminals at Eastern Beach during the whole year.

Route 4 has Glacis as its terminal base. From 1/6 to 30/9 (Summer Season) the Transport Commission has allowed this route to be extended up to the entrance to Eastern Beach.

This has been the practice for a number of years.

SUPPLEMENTARY TO QUESTION NO.187 OF 1977

HON J BOSSANO:

Does the Hon Member not agree that it causes a great deal of inconvenience to passengers who travel to the beach on No.4 bus if they have to get off this bus at the entrance to Eastern beach and walk all the way to the other end if that is where they normally stay.

HON H J ZAMMITT:

Mr Speaker, I could not deny that it probably has some inconvenience to the beach users using the northern end of Eastern Beach. I have no doubt in my mind that Eastern Beach Road which is clearly and obviously a very densely populated road during the summer season, that is between June and September, no doubt in the Transport Commission's view it was a question of taking as much traffic as possible and certainly a bus which would have to have a bus stop and would probably cause obstruction. I would like to remind the Hon Member that not only are buses not allowed entrance to Eastern Beach but, for instance, learners and the like because of the amount of pedestrians in that area during those very busy summer months.

HON J BOSSANO:

Is the Hon Member aware that in fact commercial vehicles and lorries are not refused entrance notwithstanding the fact that they cause much greater dislocation?

HON H J ZAMMITT:

Commercial vehicles, Mr Speaker, if they have to load or unload at one of the two bars there obviously are allowed. There is a much better bus station at the entrance to Eastern Beach where queues and the like have much more space made available to them for the different routes that operate from there.

The Hon J Bossano

Can Government state the number of applicants for housing on the medically categorised list and the date of the entry to the list of the applicant longest on the list and the applicant least time on the list?

Answer:

The Minister for Housing & Sport

There are at present 76 applicants on the Medically Categorised List. The applicant who has been on the list the longest was categorised on the 31 October 1975 and the most recent on the 6 May 1977.

SUPPLEMENTARY TO QUESTION NO.188 OF 1977

HON J BOSSANO:

Can the Hon Member confirm that the medically categorised list operates on the basis of priority for applicants who have been longest on the list and that there is a gradual movement up the list as people are rehoused?

HON H J ZAMMITT:

Yes, that is so, Sir.

The Hon J Bossano

Can Government state whether any post-war houses have been allocated in the last six months other than by the Housing Allocation Committee?

Answer:

The Minister for Housing and Sport

Yes Sir. 14 have been allocated during the last six months in connection with the Modernisation Programme.

SUPPLEMENTARY TO QUESTION NO.189 OF 1977

HON J BOSSANO:

Mr Speaker, is the Hon Member saying that these houses have been used to decant tenants of older property who will return to the property once they are modernised. Is that what he is saying?

HON H J ZAMMITT:

Mr Speaker, the policy of modernisation is that in an endeavour to get tenants to vacate their property which is going to be modernised, it was futile as was our experience to offer them pre-war accommodation and the alternative is given in offering them post war accommodation according to family requirements to either remain with the offer now being made or to eventually return to their remodernised house.

HON J BOSSANO:

But, Mr Speaker, this is in fact a change of policy on the part of Government which has not been previously announced.

HON H J ZAMMITT:

I do not think it has been a change of policy at all, Sir. It has always been clear that for modernisation this has been the policy. It hasn't changed in the slightest.

HON J BOSSANO:

Mr Speaker, if the Hon Member will perhaps refresh his memory he can confirm that when the original modernisation of Flat Bastion Road was being done the Government made a statement to the effect that what was holding up was the reluctance of certain tenants to return after the place had been modernised and that that was holding things up so therefore the Government has now given in on that point and is willing to allocate post war houses regardless of pointage to people whose houses are going to be modernised. Is that the point?



HON H J ZAMMITT:

The answer is yes and no, let us clarify both. It is true, Sir, that we were having difficulty at Flat Bastion Road because we were originally hoping that we could put these people into pre war accommodation. That failed as people would not move into pre war accommodation despite the fact....

HON J BOSSANO:

Can I interrupt if the Hon Member will allow me. Is he talking about pre-war accommodation as a temporary measure prior to return?

HON H J ZAMMITT:

Yes, Sir, I was going to say that despite the fact they were given assurances and guarantees they would not move and then we had to offer post war accommodation to make it attractive enough and the people have now the option of either staying in the post war accommodation or returning. I must add that we do get the assurance that it is either staying where they are or returning even before they move, for obvious adjustments.

HON J BOSSANO:

But, Mr Speaker, surely the change of policy has come here in that if in fact the main element in the housing programme is going to be the modernisation of houses and every tenant of a Government house is going to be offered a post war house to get him to move which he can keep, then in fact this makes a major dent in the pointage system, does it not?

HON H J ZAMMITT:

It is possible, Sir, it may have some effect on the pointage system, I agree. That is a fact, and it is a fact because there is a shortage of houses. However, what the Hon Member must look at is the eventual return of the modernised flat and a continuation, a linking of recouping flats which will eventually return obviously better accommodation.

HON J BOSSANO:

Mr Speaker, if the Hon Member will allow me surely there is a distinction. One is not saying that the modernisation programme is a good or a bad thing, what I am saying is in fact if from now on people whose houses are going to be modernised are going to be offered new houses in order to vacate their existing premises, this is a change of policy which will alter completely the whole foundation of the pointage scheme because in effect the people on the housing allocation list based on pointage will in future be limited virtually to modernised houses because the newly built houses will go to the people in old houses in order that their houses can be modernised.

HON H J ZAMMITT:

Mr Speaker, there are of course certain patios, I think the one at 55/57, Flat Bastion Road at the moment is undergoing modernisation which is a particular instance where there were a number of tenants living in the pre war one room kitchen situation. But there are also situations where we have a couple living in a 3-storey house and by decanting that person we will recoup probably three flats, so there is an advantage in doing this. They may have the option, they can go back to their modernised flat or stay where they are but there is a continuation which is the important thing and I would like to remind the Hon Member that people on the housing list have not been affected by this to any great extent. I will agree that obviously houses have been used but we have done our utmost not to make too big a dent in the normal housing list.

HON J BOSSANO:

But surely, Mr Speaker, the Hon Member will agree that if he pursues this policy, for example, of offering a post war house to all tenants of the houses he proposes to modernise, he will have no post war houses to offer to people on the housing allocation list. That follows, he has got hardly any, anyway.

HON H J ZAMMITT:

Well, again not entirely correct, Mr Speaker, because before the experts decide to decant a particular patio, the Housing Manager and I are called very often and regularly to the Monitoring Committee and of course I try to hold my ground as much as I possibly can. I am asked to decant a particular area and we always try and decant what is obviously more convenient to the Housing Department, so it isn't really such a dent. What I would like to remind the Hon Member is that in the case of the ones that are being modernised at the moment, I think my colleague this morning mentioned a few places which we had now ODA approval to go ahead with, I would just mention the Flat Bastion Road again. There are 2 units coming back and in fact we decanted 9 from that particular patio so there we are gaining three.

HON J BOSSANO:

Mr Speaker, have the Housing Allocation Committee been at all involved in considering the implications of this?

HON H J ZAMMITT:

Mr Speaker, the Housing Allocation Committee is not involved. They are not consulted, they are informed of what we are doing.

The Hon J B Perez

Has Government now examined in depth the advantages and disadvantages of parking tickets?

Answer:

The Minister for Housing and Sport

The whole question of parking tickets is currently under review.

SUPPLEMENTARY TO QUESTION NO.190 OF 1977

HON J B PEREZ:

Mr Speaker, may I ask the Hon Member if he is aware of the general dissatisfaction there seems to be in Gibraltar of the indiscriminate manner in which the parking tickets have been issued taking into account the very limited parking facilities there are in Gibraltar? I would ask him to take note of that.

HON H J ZAMMITT:

Sir, I obviously take note of that. What the Hon Member has asked I think is contained in the answer and that is that the whole question of parking tickets is currently under review.

HON P J ISOLA:

In reviewing this matter will they take into consideration the desirability of employing a large measure of police time in such activities as catching people who leave rubbish lying around Gibraltar and loose dogs rather than going for the rather hard pressed motorists?

HON M XIBERRAS:

Does the Minister recall that certain very specific and clear undertakings were given by the Government at the time of the passing of the parking tickets legislation and would the Minister ensure that in his current review which seems somewhat belated judging by the number of parking tickets already issued this year, that in his current review he honours the undertaking given by Hon Members opposite at the time of that debate?

HON H J ZAMMITT:

Mr Speaker, Sir, I wish my memory was clear enough to be able to give with accuracy what was said here when we passed the legislation on parking tickets. I personally seem to remember that it was a question that it would be used in the case of obstruction and mainly obstruction and double parking but as I said in my answer to the Hon Mr Brian Perez the whole question is being looked and I take note of what the Hon Member has said.



HON M XIBERRAS:

Mr Speaker, I am very grateful for that but is the Hon Minister telling me that this review which obviously started some time ago did not take cognizance of what had been said in the debate which was a rather controversial debate at the time of the passing of the legislation?

HON H J ZAMMITT:

Very much the contrary, Sir. As a matter of fact the whole question is being looked at because of our commitment to the House of reviewing the situation.

HON M XIBERRAS:

Then am I right in assuming that the Hon Member was as aware of the increase in parking tickets as I was?

HON H J ZAMMITT:

Yes, I am aware of the increase, Mr Speaker, because I get a monthly report since we had the commitment with the House.

HON M XIBERRAS:

And who, Mr Speaker, may I ask is carrying out this review, is it the Traffic Commission or is it the Minister?

HON H J ZAMMITT:

It is the Minister and the Council of Ministers, Mr Speaker.

HON M XIBERRAS:

Could I ask, finally, when did the review start?

HON H J ZAMMITT:

Three or four weeks ago, Mr Speaker.

HON M XIBERRAS:

So that accounts, Mr Speaker, am I right in saying, for the figures given by the Hon and Learned Attorney General stopping short at April?

HON H J ZAMMITT:

No, there is no connection between one and the other.

HON MAJOR R J PELIZZI:

Can the Minister say when the review is likely to finish?



HON H J ZAMMITT:

I can't answer that one categorically. The situation is one which has been considered by Council as I said 3 weeks or a month ago and there are certain details that have been asked for and we are awaiting further information.

HON MAJOR R J FELIZA:

In view that the Minister obviously cannot give a date could he in the meantime use his influence, if he has any within the Government, to see that the spirit expressed in this House and accepted by the Government when passing the legislation is adhered to?

HON H J ZAMMITT:

I think it would be more proper for me, Sir, to say that I will certainly bring all the feelings of the House to my colleagues in the Council of Ministers who are present in the House.

HON M XIBERRAS:

Mr Speaker, in view of the alarming increase that there has been in the use of parking tickets and since the Council of Ministers is now reviewing the position, would the Hon Member use what influence he has within the Government to ensure that the criteria for the use of parking tickets reverts to what they were before, pending the inquiry?

HON H J ZAMMITT:

I don't think I have the power, Mr Speaker, quite honestly, to ask my colleagues to ask the Commissioner of Police to instruct his men not to carry out their duty. I don't think that is quite within my power.

HON M XIBERRAS:

Mr Speaker, perhaps this is the right occasion to withdraw my earlier statement about the police being a law unto itself, but could the authority of this House and the statements made in this House be made to prevail in the implementation of the law?

HON H J ZAMMITT:

I think, Sir, <sup>that</sup> the answers that are being given here and the question for that matter will be brought to the Commissioner's attention but I can't go any further than that.

No.191 of 1977

ORAL

The Hon J B Perez

Will Government state the present number of "squatters" in Government houses?

Answer:

The Minister for Housing & Sport

The present number of squatters in Government-owned accommodation is 6.

SUPPLEMENTARY TO QUESTION NO.191 OF 1977

HON J B PEREZ:

Mr Speaker, could I ask the Hon Member what action Government is taking against them.

HON H J ZAMMITT:

Sir, in every single case of squatting the matter is referred to the Legal Department for the necessary action to be taken.

HON M XIBERRAS:

Has there been an increase in the number of squatters or not?

HON H J ZAMMITT:

I don't know, Sir, if one can say that there has been an increase unless one is given a particular time.

The Hon G T Restano

Does Government keep statistics of the number of Gibraltarians emigrating, what reasons they have for emigrating and in what areas of employment they were employed?

Answer:

The Minister for Labour & Social Security

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 192 OF 1977

HON G T RESTANO:

Mr Speaker, does the Government not think or does the Minister not think that it would be worthwhile to try and obtain these statistics?

HON A J CANEPA:

Mr Speaker, I think that such statistics are really impossible to obtain because of the freedom of Gibraltarians to travel in and out of Gibraltar at will.

HON G T RESTANO:

I agree, Mr Speaker, that there is difficulty in obtaining the information but people do leave and the Statistics Office could I am sure carry out certain investigations as to why people are leaving and from what areas of employment they are leaving.

HON A J CANEPA:

Mr Speaker, I am told by the Statistics Office that there are considerable practical difficulties in obtaining and maintaining meaningful statistics of this nature.

No.193 of 1977

ORAL

The Hon M Xiberras

Will Government make a statement on the present major industrial disputes?

Answer:

The Hon the Chief Minister

In so far as blacking of the Official Employers is concerned, the position is that there are a number of issues in the Joint Industrial Council over which there has been some disagreement between the Official Side and the Trade Union Side. The Official Employers hope that it will be possible, given understanding and goodwill on both sides, to reach an early settlement of these matters.

It is the intention of the Official Employers, at an early date, to open discussions with the Trade Unions on the 1976 pay review effective from 1 10 76 within the normal negotiating machinery and since this reply was prepared I understand that the meeting for the next JIC has already been fixed.

I do not think there is any comment I can make at this stage on the CPSA dispute.



The Hon J Bossano

Can Government state the number of work permits that have been issued during each of the months of February, March and April 1977 giving a breakdown (a) by industry (b) by trade and (c) by nationality?

Answer:

The Minister for Labour & Social Security

Employment permits issued by the Director of Labour and Social Security were 41 in February, 60 in March and 36 in April, broken down as per list I am circulating.

SUPPLEMENTARY TO QUESTION NO. 194 OF 1977

MR SPEAKER:

May I inform Members that the list which is being circulated will not be included in the Hansard and I am sure it is not required that it should be. It is purely informative.

HON J BOSSANO:

Mr Speaker, may I ask the Hon Member whether in fact since I note that a fair proportion of the permits have been in the building industry whether there has been any alteration in policy as regards the issue of building permits in view of the fact that there are a substantial number of redundancies now arising in the building industry?

HON A J CANEPA:

I am not sure I understand what the Hon Member means by policy. Change in what policy?

HON J BOSSANO:

As regards the issue of permits I understand that under the Control of Employment Ordinance a permit is issued provided that there are no unemployed workers available in Gibraltar. The position at the moment is that there are a number of unemployed workers in the building industry. Is this going to affect the current issue of permits in the industry?

HON A J CANEPA:

There hasn't been any restriction, Mr Speaker, on building up to the present because there has always been a desire to maintain the level of activity in the building industry. I am not aware myself, I haven't heard about redundancies until this moment. For instance in the case of Varyl Begg Estate, as that has run down, what has happened is that the surplus labour there has been taken up by other contractors but if he would be more specific and bring to my notice exactly what he does mean by redundancy I will be very grateful.

HON J BOSSANO:

Mr Speaker, I can in fact inform him that there are 27 redundancies this week in just one firm in the building industry and I have no doubt that redundancies of that order have been taking place in recent weeks because this has been notified to the Trade Union movement who have got an interest in being notified of redundancies. I assume that his Department registers people as unemployed when they become redundant and I would have thought that he would have been aware of the situation.

HON A J CANEPA:

I may not be aware, Mr Speaker, possibly because of the fact that the number of unemployed have been dropping very considerably over the last two or three months. This is why I am somewhat surprised to hear this because my understanding was that we didn't have a problem any longer and that the situation was improving considerably. However, I shall certainly make enquiries about this question of redundancy and if need be we shall have to review our policy in so far as the building industry is concerned.

The Hon J Bossano

Can Government state what steps are taken by the Labour Department to ensure that the rulings of the Industrial Tribunal are enforced?

Answer:

The Hon the Attorney-General

Rule 19 of the Industrial Tribunal Rules 1974 provides that when the whole or any part of any sum payable by way of compensation awarded by the Industrial Tribunal has not been paid within 28 days of being awarded, or within such further time as the tribunal may have allowed for payment, the person in whose favour the award was made may call upon the secretary of the tribunal to transmit copies of the award to the Court of First Instance, where it is registered as an award of that Court and may be enforced as if it had been a judgement of that Court.

It should be stressed that although the Department of Labour and Social Security provides the secretary of, and generally services, the Tribunal, it has no power to enforce rulings of the Tribunal although, needless to say, it is always ready to advise the parties concerned, as far as it is able, on how to go about seeking enforcement of awards.

SUPPLEMENTARY TO QUESTION NO.195 OF 1977

HON J BOSSANO:

Mr Speaker, would the Hon and Learned Member not agree that it would be desirable for the Labour Department to ensure that the rulings are enforced since it is natural for a complainant who goes to a tribunal to expect that once a tribunal has ruled he wouldn't then have to depend on engaging a lawyer privately in order to see that the ruling is enforced?

HON ATTORNEY GENERAL:

There is no necessity to employ a lawyer. A private person once he has called upon the Secretary of the Tribunal, asked him to send the matter to the Court of First Instance, that person having perhaps received advice on what to do from the Department can go along and have their order enforced, the Labour Department would themselves have no jurisdiction whatsoever to enforce the award in the Court. It is not an award in their favour.

HON J BOSSANO:

Mr Speaker, but if the award of the Tribunal is not in fact made the Hon Member is saying that the individual will be assisted by the Labour Department to take the necessary steps without having to engage a lawyer to do it. Is that what the Hon Member is saying?

HON ATTORNEY GENERAL:

No.



MR SPEAKER:

There is this machinery which is a simple one by which the person aggrieved can ask the Secretary of the Tribunal to send the papers to the Court of First Instance and then it can be enforced as a Judgement and there is no need for ~~this~~ purpose to engage a solicitor.

HON J BOSSANO:

But, Mr Speaker, perhaps the Hon Member is saying that but in fact is the Hon Member aware that in a recent ruling of the tribunal all that the Labour Department has said to the person concerned is that it is up to him to get the Courts to enforce it.

MR SPEAKER:

By which perhaps he should be able to infer that the Secretary of the Tribunal has now done his duty by transmitting the papers to the Court.

HON J BOSSANO:

But, Mr Speaker, surely the point that I am making is that that <sup>state</sup> of affairs is unsatisfactory and I am asking the Hon and Learned Member, since these are rules that are made by the Government and the rules are obviously failing to provide the results, does he not agree that it is natural for an individual who finds himself dismissed and in view of the fact that the Government has produced protection against dismissal, that the individual would expect that he should be able to get assistance and advice from the Labour Department other than the fact that the papers have been sent to the Court and the Court says that they have received the papers and that is the end of the matter and the individual is sent from one to the other without getting any further.

HON ATTORNEY GENERAL:

The Hon Member must bear in mind the Labour Department don't assist the aggrieved workman in front of the tribunal. He can of course either engage a solicitor or I imagine in a case he can represent himself or, I think, probably at the discretion of the tribunal he can be represented or helped by a friend. I think this has been done in one case. Once that is done, as I say the Labour Department have nothing to do with that at all. Then the award goes to the Court and all that has to be done - there is no complicated procedure - is that the person in whose favour the order has been made can go to the Court and say: "Please enforce this for me." It is a simple matter, the Court would have complete authority if, let us say, that the DLSS went and said "Please enforce this Order," the Court would rightly say: "Who are you? It is not in your favour." And if it were a complicated matter then perhaps we could think about enacting legislation whereby some other person could appear and ask the Court but I don't think that would be considered for one moment. It is a very simple matter.

HON J BOSSANO:

Mr Speaker, is the Hon and Learned Member aware that at least in one case the Court has informed the individual concerned that it is up to him to engage a lawyer so that the proceedings can be instituted to get recovery of the money due?



HON ATTORNEY GENERAL:

I am not aware of that. I am not aware of that and my understanding is that if that advice was given it is not necessary because the individual concerned can do it himself.

HON M XIBERRAS:

Mr Speaker, what good reason is there for not making the decisions of the Industrial Tribunal enforceable in law automatically?

HON ATTORNEY GENERAL:

It is enforceable automatically. If the person doesn't pay there has got to be some machinery for getting him to pay and the machinery is the Court machinery.

HON M XIBERRAS:

Mr Speaker, why has the aggrieved person got to take this step of going to the Court and why can't the Court take it as a matter of course?

HON ATTORNEY GENERAL:

There has got to be some machinery.

MR SPEAKER:

You are entitled to ask whether Government would find a simplified procedure.

HON M XIBERRAS:

I do not know what the standing is of the Industrial Tribunal either but it seems to me that if this has a quasi judicial function then the enforcement should be there.

HON ATTORNEY GENERAL:

Because the tribunal has got no machinery. The point being that there is no payment so what have you got to do? You have got to go, perhaps, and seize the property of the person who has been ordered to pay the debt and hasn't done so. The Court has got the machinery for that and it does so when its own judgements are not honoured on the application of the person in whose favour the judgement was given. It is the same thing as far as the industrial tribunal is concerned. Because the tribunal hasn't got this machinery the court employs its machinery and it is not a complicated matter for the court to be asked to set its machinery in motion, send out its officers to recover sufficient property to honour or to satisfy the debt.

HON P J ISOLA:

Mr Speaker, it seems to me that to get the Court to move does require the filling in of forms and so forth. I know the advice of a Court is always to consult a lawyer and I see the point that is being made. Given the nature of the sort of award,

assuming they are monetary, given by the Industrial Tribunal, does not the Attorney General think that there is possibly in some case or justification for giving some sort of power to the Labour Department, if they will take it, to act, as it were, as a go-between to see that the awards of the Tribunal are enforced. Something rather like the Income Tax where somebody from the Income Tax Department goes to Court and collects tax and somebody from the Public Health Department who goes and prosecutes people for statutory nuisances. I would have thought it would be possible to design machinery under which an officer of the Labour Department once the tribunal award has been made, acts on behalf of the individual to enforce it. I think it is not as simple as the Hon and Learned Attorney General thinks. My experience is that it is not so simple.

MR SPEAKER:

I think the Hon Member's suggestion is that the person who has been granted the award should be given legal aid to enforce his judgement.

HON P J ISOLA:

I think given the nature of the Industrial Tribunal which in most cases is a monetary award, in order to have it enforced it requires obviously registration and a judgement summons to be issued and this is not a simple matter, it requires help from court officials.

HON ATTORNEY GENERAL:

I have no doubt whatsoever that if the forms are issued to the aggrieved employee, put it that way, and he takes those forms to the Labour Department, they will assist him in filling up those forms. The difference from the cases which the Hon and Learned Member has cited of the Income Tax and Public Health Departments is that there they are both representing the Crown and the Crown is an aggrieved party.

HON CHIEF MINISTER:

Mr Speaker, the only thing that I can think of to help, and perhaps we might have a discussion about this, is whether we could come to terms with the Court of First Instance on a simple form for the enforcement of a Judgment of the Tribunal which will be much less complicated than the usual procedure that is required and that that form should be available and it could be helped to be filled in in the Department and the man himself goes to the Tribunal and leaves it there.

The Hon J Bossano

Can Government now state when the training courses for craft operatives are expected to commence?

Answer:

The Minister for Labour & Social Security

Applications to attend the training courses for labourers, leading to craft status, closed on 6 May 1977, and the courses were scheduled to have started yesterday 16 May. Following representations by the Transport and General Workers Union against requirements that applicants must be able to read and write English, the date of commencement has been postponed, pending consideration of these representations.

Owing to other scheduled commitments of the Construction Industry Training Centre, particularly trainability tests for 77 applicants for entry into the 1977 Apprenticeship Scheme, the course cannot now commence before the middle of next month.

SUPPLEMENTARY TO QUESTION NO.196 OF 1977

HON J BOSSANO:

Mr Speaker, does the Hon Member know whether in fact DOE is making similar facilities available within their own employment?

HON A J CANEPA:

I think they are but up to the date of closing my understanding is that they have not yet processed their applicants because they are processed departmentally first by the employer before being passed on to the Department of Labour and Social Security. I think that they are interested and with the delay that is now going to take place, I am very hopeful that they will also be participating in the training course.

The Hon Major R J Peliza

Is Government aware of the crippling effects that the long delay in settling the outstanding general pay review is having on small local companies and on the economy generally, and make effective use of its position to alleviate this situation?

Answer:

The Hon the Financial and Development Secretary

The delay obviously will have had some effects on the economy but the Government does not accept that they can be described as "crippling". In view of the information which the Chief Minister has given the House in reply to question No.193, the Question of Government using its position to alleviate the situation is no longer relevant. It is to be hoped that the negotiations will proceed smoothly towards an early settlement.



SUPPLEMENTARY TO QUESTION NO. 197 OF 1977

HON MAJOR R J PELIZA:

I am glad to hear that some progress is being <sup>made</sup> / in that direction, but is the Hon Financial and Development Secretary aware that small businesses usually have to pay the increases without themselves getting the income from the extra amount of money in the market that usually flows from similar pay increases from UK and Gibraltar Official Employers and is he not aware that this does have a crippling effect on small businesses in Gibraltar? If he isn't could he look into the matter so that in future this does not occur?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, my colleague the Minister for Labour and Social Security reminds me of course that in relation to price control businesses frequently do seek authority to increase prices on grounds that additional payments by way of wage awards have been made.

HON MAJOR R J PELIZA:

But that is not a point, Mr Speaker. Isn't the Financial and Development Secretary aware that, in fact, not only does it have a crippling effect on the business but also it causes a rise in the cost of living quite unnecessarily because what makes the small business tick is not the increases in the price but the turnover that comes about from the extra money in the area.

HON J BOSSANO:

Mr Speaker, could I ask the Hon Member whether in fact in answering this question he is not limiting himself simply to the pay of industrials and there appears to be nothing affecting any negotiation with any other union.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I don't think my answer was in any way limited.

HON J BOSSANO:

Can the Hon Member then say what negotiations have taken place outside JIC?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Well, Mr Speaker, Sir, this is not really entirely in line with the original question is it, but as I understand the position from what the Hon the Chief Minister said, the way is now looking to be clear to move ahead on all fronts.

HON J BOSSANO:

Mr Speaker, with due respect, I am afraid I missed the Hon and Learned Chief Minister's previous answer but I understood that he referred to a forthcoming meeting of JIC and what I am saying, Mr Speaker, is if the Hon Financial and Development Secretary will not agree that in fact there are many other unions in Gibraltar who are not represented in JIC with whom no negotiations have taken place, to whom no pay offer has been made, notwithstanding the fact that there was nothing to stop pay off having been made since last October.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, as far as the Government is aware they are prepared to start with anybody.

HON J BOSSANO:

Mr Speaker, has any union been made any offer in respect of the 1976 pay review?

HON A J CANEPA:

Mr Speaker, I am aware of one union having asked whether the Government was interested in opening pay negotiations and having had the ball squarely put back in their court, as it were, by being invited to put in a claim for the 1976 review and they haven't done so.

HON J BOSSANO:

And therefore the position then, Mr Speaker, is that as far as the October 1976 pay review, the Government itself has not been prepared to open negotiations since 1st October but has left it up to any particular union to put in a claim as and when they see fit.

HON A J CANEPA:

I think the Government would have been prepared to open negotiations, generally, but the Government was aware of the fact that the non-industrial unions and associations were watching very closely and would like to see what develops in JIC first. This is natural.

HON MAJOR R J PELIZI:

In view that in fact the need to reach a settlement has now been recognised will the Government make special efforts and perhaps take a little bit more of initiative than hitherto in getting this settled?

HON A J CANEPA:

The initiative has already been taken.

The Hon Major R J Peliza

Since Gibraltar is not mentioned in the White Paper concerning the direct election to the European Parliament can Government state what action they have taken or intend taking to ensure that the Gibraltarian citizens of the European Community are not disenfranchised?

Answer:

The Hon the Chief Minister

On the 5th May I received a letter from the Chairman of the Gibraltar Branch of the European Movement requesting me to transmit to the appropriate quarters, the view of the Branch that the people of Gibraltar, as Community nationals, should be able to vote in the direct elections to the European Parliament. In forwarding this request I have made it clear that it has the full support of all the elected members, both in the Government and otherwise, all of whom are members of the Gibraltar Branch of the Movement.

SUPPLEMENTARY TO QUESTION NO.198 OF 1977

HON MAJOR R J PELIZA:

Has the Chief Minister had a reply or an indication of the way this reply is likely to be?

HON CHIEF MINISTER:

May I draw the House's attention to the fact that the letter was delivered to me on the 5th May.

HON MAJOR R J PELIZA:

But since the matter is something that has been very much in the foreground for a few months can the Chief Minister state whether in his view there is a likelihood of this being received favourably? Has he got any idea of what the reaction is likely to be?

HON CHIEF MINISTER:

I thought the expert was the questioner on matters of the European Community. As far as we can see it from Gibraltar we have put forward the suggestion, but we have no idea yet what the reaction will be. I think that even the process in the United Kingdom is still the subject of considerable debate in the national press.

HON MAJOR R J PELIZA:

Shouldn't the Chief Minister take note that the responsibility for this is not of the European Movement or in fact of any expert of the EEC but of the Government itself and in fact I think the government should have got moving well before now but certainly take it upon their shoulders to do something about it.

HON CHIEF MINISTER:

In my view it is more appropriate for the request to emanate from the local branch and this procedure was agreed with the Chairman.

HON M XIBERRAS:

Mr Speaker, is the Hon Member aware that he is somewhat misquoting what took place at the meeting?

HON CHIEF MINISTER:

I am not aware of misquoting anything.

HON M XIBERRAS:

Mr Speaker, would he not agree that from whomsoever the request emanates it is now a question of the Elected Members ensuring that this is got for Gibraltar and therefore it is not a responsibility, would he not agree, of the European Movement as much as it is of the Elected Members of this House.

HON CHIEF MINISTER:

Yes, I accept that but I was making a distinction as I made it at the meeting of the Movement, of the elected members and the Government as such. I made that clear and that is the gist of my answer and I am sure that the Hon Member will agree with me that that is the sentiment which I expressed publicly at the general meeting and which is still my view for the moment.

HON M XIBERRAS:

Would the Hon Member also note that it is my view that whatever the European Movement may do in support of this request it is a question for the elected Members of this House as something affecting Gibraltar as a whole, a question of voting rights and that therefore whatever tactical consideration might be used in putting forward this case, the question of responsibility is first and foremost on the elected members of this House. Would he agree that that is a fair interpretation?

HON CHIEF MINISTER:

I accept that fully, of course I do, I make no bones about this, but as I said at the meeting and as I told the Chairman, I thought that in the first place it should be the elected members, through me, that should make the representations. That is what has been done.



The Hon Major R J Peliza

Is the Chief Minister in a position now to inform the House whether or not Mackintosh Hall may be used by candidates to make election addresses at future elections for the House of Assembly?

Answer:

The Hon the Chief Minister

The Board of Management of the John Mackintosh Hall reviewed the position last February and unanimously decided that the present ruling should not be changed. I understand that the main reason for this decision was the Board's desire to keep the Hall as completely neutral territory, above and beyond politics.

SUPPLEMENTARY TO QUESTION NO.199 OF 1977

HON MAJOR R J PELIZA:

We know that but didn't the Chief Minister undertake to look into the matter further and perhaps find a way, a formula, which will allow the members to participate has he done anything about it yet?

HON CHIEF MINISTER:

Of course I have. When I undertake to do something here I follow it up and then I am prepared to answer. I have made enquiries and apart from the reasons originally given there are quite a number of other matters that have been raised which I think some of them should be taken into account. In the first place it is considered that the theatre was not big enough to cater for a political meeting of any size unless of course it is one of those who have meetings and nobody goes to them. Standing is forbidden by the Entertainments Safety Rules bye-laws and it was impossible either to estimate in advance or control the number of persons going into the theatre. The other thing of course is that there would be difficulty in clearing the theatre by 11 o'clock at night. May I add that the Hon Questioner did not worry about the procedure for a very long time.

HON MAJOR R J PELIZA:

Doesn't the Chief Minister know that meetings can be held after a certain hour provided a fee is paid and therefore I don't see the problem of the 11 o'clock limit.

HON CHIEF MINISTER:

That is a minor point.

HON MAJOR R J PELIZA:

Well, on the question of attendance at the Hall, does the Chief Minister believe that most electoral meetings fill up with more than about 200 persons.

MR SPEAKER:

It is not the Chief Minister's feelings that the place should not be used. The Chief Minister has quoted the reasons that the Board of Management have given him for not allowing it. He is not answerable for those reasons.

HON MAJOR R J PELIZA:

No, of course not, but I would like to know whether the Chief Minister accepts those reasons or not.

HON CHIEF MINISTER:

I have no reason to dissent from that end my own view particularly in that one of the most important factors that I consider to be very relevant is the fact that the counting of the votes takes place there very shortly after.

HON MAJOR R J PELIZA:

Isn't it possible on that point that is worrying the Chief Minister so much, if that is the only one that worries him all that much, that surely a limit could be set, 2 days before the election, or 24 hours or the amount of time that the Board believes takes in setting a table in that place which is as much as you do for any meeting. What else do we do?

MR SPEAKER:

We are now getting into grounds which we have to avoid and that is we are not going to debate the good reasons or the bad reasons given regarding the use of the hall. The question is a simple one: "Is the Chief Minister in a position now to inform the House whether or not Mackintosh Hall may be used by candidates to make election addresses at future elections for the House of Assembly."

HON MAJOR R J PELIZA:

Can I then ask the Chief Minister if in fact the candidates at an election will not be able to use the hall until perhaps there is a change of Government in Gibraltar?

HON CHIEF MINISTER:

I don't know what the Hon Member is talking about. I don't know what change of Government means for the next  $3\frac{1}{2}$  years but the point is that I am reporting on the representations made to the Board. The Board is an independent body which has been appointed and which has had representatives from the previous administration and of this one and their views as far as I am concerned are not that weak that we should do anything to overrule their authority.

The Hon M Xiberras

Will the Chief Minister state what progress has been made on the setting up of a Public Accounts/Expenditure Committee of this House?

Answer:

The Hon the Chief Minister

The possibility of setting up a Public Accounts Committee was mentioned during the debate on the Public Finance (Control and Audit) Bill. It was then generally accepted that such a Committee could play a useful role in the management of Gibraltar's finances but as I said at the time the matter requires very careful consideration and regrettably I cannot report any progress at this stage.

SUPPLEMENTARY TO QUESTION NO.200 OF 1977

HON M XIBERRAS:

Will the Chief Minister intend to take the matter up in the near future?

HON CHIEF MINISTER:

I cannot promise in the near future. I was looking up as I said at the time of the debate where my reactions were received by the Hon questioner as being more favourable than he expected and I find that I said: "Perhaps we may think, and this is a matter on which I would have discussions at a later stage in the life of this House with Members opposite, about the way in which it could start. Perhaps in a small way in a sense of identifying particular Departments for examination in one session instead of trying to cover the whole spectrum and then cover nothing at all which is the difficulty about this matter, about part-time politicians on the other side and part-time on this side, but more fully occupied than double the time for which we are paid." This is what I said and I have not forgotten it. My reaction was favourable but please don't press too hard as being something that can be done overnight because then it will be much more difficult to get on with it. I have it in mind and I know how interested the Hon Member is.

The Hon M Xiberras

Has the Staff Inspection of Gibraltar Government clerical grades now been completed?

Answer:

The Hon the Chief Minister

No Sir.

SUPPLEMENTARY TO QUESTION NO.201 OF 1977

HON M XIBERRAS:

When is it expected that it will be completed?

HON CHIEF MINISTER:

The clerical grades in the following departments have been inspected: Education, Supreme Court, Electricity Department, Telephones, Customs, Audit, Tourism, Industrial Relations. The following departments are being inspected at present: Income Tax, Licences. The following departments are still to be inspected; Public Works, Medical and Public Health, Treasury, Secretariat, Labour and Social Security, Housing, Post Office and other departments which employ small numbers of clerical grades eg Port, Police etc. Provided assistance can be provided for the one staff inspector who is at present carrying out these duties it is hoped to complete the inspection of the clerical grades by the end of June.

HON M XIBERRAS:

Is the Hon Member then saying that he is hopeful that negotiations on the wages of non-industrials will continue even before the Staff Inspection is completed?

HON CHIEF MINISTER:

Yes, Mr Speaker.

HON M XIBERRAS:

Is this accepted by the GGCA?

HON CHIEF MINISTER:

If it is accepted it can continue.

HON M XIBERRAS:

Is it? That is what I am asking.

HON CHIEF MINISTER:

I don't know, I imagine it is. They might want to delay their own particular negotiations for any particular reason but as far as we are concerned we are always prepared to do it.



HON M XIBERRAS:

Could I ask the question then, is the completion of the Staff Inspection a factor which is inhibiting the GGCA from putting in a claim in respect of the 1976 review?

HON CHIEF MINISTER:

Yes, my friend prompts me to say that they are not so interested in getting a claim in but to get a statement on Government policy on the matter.

The Hon J B Perez

Has Government received a reply to the telegram sent by our elected leaders in connection with the proposed new British Nationality Laws?

Answer:

The Hon the Chief Minister

No Sir. The telegram did not call for a reply as such. In acknowledging the telegram the Foreign and Commonwealth Secretary has stated that he has noted the concern expressed about the ideas in the Green Paper and that he looks forward to receiving our views following the proposed study and discussion in Gibraltar.

SUPPLEMENTARY TO QUESTION NO.202 OF 1977

HON J B PEREZ:

Mr Speaker, may I then ask the Hon and Learned the Chief Minister why this was not communicated to Members of the Opposition?

HON CHIEF MINISTER:

Because it was received yesterday.

HON M XIBERRAS:

Will the Hon and Learned Member confirm that a meeting will be held on this subject by the elected members?

HON CHIEF MINISTER:

Yes, I have already indicated to the Hon Questioner that I hope that we can have a meeting preferably before we deal with the motion if it is possible. There is one other meeting which must be held which I haven't yet informed the Leader of the Opposition on another matter. Let me say whilst answering the previous question of the Hon Mr Perez that it is not often easy to find the Leader of the Opposition for a quick word, to tell him of things that happen quickly. I am sure I do not do him any injustice by saying that.

No.203 of 1977

ORAL

The Hon J B Perez

Will Government state the various sites already considered for the reallocation of GBC stating preference and reasons?

Answer:

The Hon the Chief Minister

The sites which are under consideration are Wellington Front itself, Ocean Heights and Messrs Vasquez Tobacco Factory. Plans in respect of each are being drawn up by GBC in consultation with the Surveyor/Planning Secretary and estimates of cost will then be prepared by the Public Works Department. Until those processes are completed it is not possible to state a preference for any of the choices available.

No. 204 of 1977

ORAL

The Hon Dr R G Valarino

Have GBC now reported their findings on the proposals to broadcast part of the proceedings of the House of Assembly?

Answer:

The Hon the Chief Minister

Yes Sir. Copies of the communication received will be made available to Hon Members shortly.



No.205 of 1977

ORAL

The Hon G T Restano

How many quotations were received for the implementation of colour television, has any decision been taken and if so when is it expected that colour on Gibraltar Television will become a reality?

Answer:

The Hon the Chief Minister

Four quotations have been received for the supply of colour television equipment. It is hoped that a decision will be taken before the end of this month. Provided no unforeseen delays occur, colour television would be fully operational by the end of February 1978.

SUPPLEMENTARY TO QUESTION NO. 205 OF 1977

HON G T RESTANO:

Do the quotation differ very largely from the quotations that have been received by the end of last year?

HON CHIEF MINISTER:

I don't know. The matter is entirely in the hands of the Tender Board and they have not yet been communicated to me.

No.206 of 1977

ORAL

The Hon G T Restano

Will the Chief Minister state when he was first notified about the new proposed British Nationality Law?

Answer:

The Hon the Chief Minister

On the 19th April 1977.

SUPPLEMENTARY TO QUESTION NO.206 OF 1977

HON MAJOR R J PELIZA:

Wasn't there an undertaking given some time back that the Chief Minister would be given ample time to be able to make representations on this issue, if necessary?

HON CHIEF MINISTER:

Yes, the assurance given in the Hattersley Memorandum of the 26th January stated that the Government of Gibraltar would be consulted before publication of any proposals on this subject to enable them to make representations should they wish. I have noted this point for discussion with local representative bodies and in the first place with Hon Members and we will be discussing this precise matter when we meet. That is all I can say at this stage because in fact it could be argued that it is a consultative paper and not proposed changes. I did take the point at the time and I have made it known.