

HOUSE OF ASSEMBLY
MEETING OF 24th OCTOBER 1978

QUESTIONS

AND

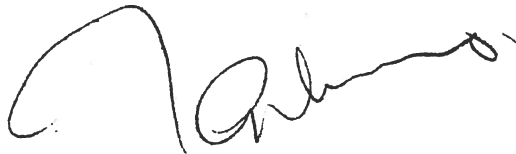
ANSWERS

(153 TO 233)

HOUSE OF ASSEMBLY - ANSWERS TO QUESTIONS

A copy of the Answers to Questions asked at ~~the~~ Meeting of the House of Assembly held on the 24th October, 1978, is attached.

2. In case of any amendments Hon Members are kindly requested to hand them in not later than Thursday the 21st December, 1978.



28.11.78

CLERK OF THE HOUSE OF ASSEMBLY

QUESTIONS ASKED BY HONOURABLE MEMBERS AT THE HOUSE OF ASSEMBLY
MEETING HELD ON 24.10.78.

No. 153 of 1978

ORAL

The Hon Major R J Peliza

Can Government state what action it has taken with regard to the allegations contained in para 84 of the Principal Auditors Report 1976/77 with regard to the cases of individual consumers owing large amounts in respect of electricity arrears and have the Government now collected the amounts owed?

Answer

The Hon the Financial and Development Secretary

First let it be clearly understood that the Principal Auditor does not make allegations: he states the facts as he sees them and to the extent that he has been able to establish them.

In the case of the consumer quoted as owing £4,000, the sum of £3,000 has already been collected and efforts are being made to recover the balance.

As regards the other consumer quoted as owing £10,000 arrangements have been made to pay the arrears in twelve monthly instalments plus current amounts.

24.10.78

No. 154 of 1978

ORAL

The Hon Major R J Peliza

What action does Government propose to take in relation to para 86 of the Principal Auditors Report for 1976/77 regarding the substantial arrears owed on rates for some years and in particular can Government state whether any claims are now statute barred by the limitation period of six years referred to in that paragraph?

Answer:

The Hon the Financial and Development Secretary

Apart from the final notices served on ratepayers in arrears, 128 complaints were served on 50 occupiers during 1977 for which 'Judgments to Pay' were granted by the Magistrates' Court.

Arrears which are statute barred by the limitation period of six years amount to £8,814.53 and these will have to be written off.

SUPPLEMENTARY TO QUESTION NO. 154 OF 1978

HON MAJOR R J PELIZA:

Will the Government make sure that in future this does not occur and what action does the Financial and Development Secretary propose to take so that this does not happen again?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, that question is really one that the Honourable and Gallant Major should ask to the Accounting Officer or the Controlling Officer concerned in a Public Accounts Committee and I have nothing further to add to the answer that I have already given.

HON MAJOR R J PELIZA:

Mr Speaker, I am very surprised. Isn't the Financial and Development Secretary responsible for the financial management of the public monies?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The Financial and Development Secretary is responsible for the management of the Consolidated Fund and is responsible also for a true and accurate account being given to this House. Thereafter it is up to this House to tackle those officers of the civil service concerned with the administration of the money in order to find out that things are going properly.

HON MAJOR R J PELIZA:

Can the Financial and Development Secretary say who in this House is responsible for dealing with those matters?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Civil Servants, Mr Speaker, who are not members of this House.

HON MAJOR R J PELIZA:

But who in this House is responsible for the civil servants? Mr Speaker it appears that nobody is responsible for the civil servants.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

In the circumstances in which this question has been asked, Mr Speaker, it is clearly an attempt on the part of the Honourable and Gallant Member to institute questions in a debate across the floor of this House which are properly the concern of a Select Committee appointed by this House for the very purpose of examining the accounts of the Government for years past.

HON MAJOR R J PELIZA:

Mr Speaker, as far as I know there isn't one yet. Someone must be responsible now or is it that we have nobody responsible?

MR SPEAKER:

We are not going to debate that now.

HON P J ISOLA:

Mr Speaker, can I ask the Financial and Development Secretary whether it is a fact that the Courts cannot cope with the volume of applications which we require to deal with arrears in rates, etc? I notice in the paragraph in question that is one of the reasons given for not proceeding to collect rates arrears. Is that a fact as far as the Government is concerned?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, as I understand it representations were indeed made by Officers of the court to the Attorney-General's Department that the flood of complaints which were being filed was indigestible and a temporary halt was therefore called. The process has now been resumed, I understand.

HON P J ISOLA:

Does that mean that because the courts complained summonses are not issued and monies owed to Government are not collected? Why did they stop?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, it seems rather pointless for the appropriate government department to flood the court when the court has said it cannot accept any more. It is not for the department concerned to challenge whether the court can or cannot. (If the court has said that they cannot deal with the applications which are being made, there is little

option on the part of the department but to accept that for the time being. As I have said, the process has now been resumed.

HON P J ISOLA:

Mr Speaker, there is not a single case in my experience that the court can refuse to take complaints, they must take them, surely. It may take longer for the complaint to be heard but they cannot call a stop. Will the Financial and Development Secretary then give the House an assurance that that sort of excuse will not be accepted by the relevant government department?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, as I have just said this is the kind of thing that a Public Accounts Committee could send for the officer in charge of the court and examine him on the question. It is not for me to commit the court whether it will or it will not do something.

HON P J ISOLA:

Mr Speaker, surely the function of the court once a complaint is laid before it is to deal with it. I want an assurance because it seems that many thousands of pounds have been lost to the public.

MR SPEAKER:

What assurance are you seeking?

HON P J ISOLA:

An assurance, Mr Speaker, that that sort of excuse will not be accepted by the relevant government department in the same way that it would not be accepted by any private individual making a complaint before the court.

MR SPEAKER:

Is the Minister able to give such an assurance?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I do not think I can give such a categorical assurance.

HON J BOSSANO:

Mr Speaker, can I ask for my information, if it is in fact necessary for the actual complaint to be heard within six years or simply to be filed?

HON ATTORNEY-GENERAL

To be filed.

HON J BOSSANO:

So, in fact, even if the court is suffering from indigestion if the government had moved within six years and filed a complaint

it might have taken another six years for the case to be heard but they would not have lost the opportunity to recover the money. That would be the case, would it not?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Is the Honourable Questioner asking me?

HON. J BOSSANO:

I am asking someone for confirmation of that point.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

May I take legal advice, Mr Speaker. The answer is, yes, I am informed by my Honourable and Learned colleague.

HON J BOSSANO:

Then, Mr Speaker, would the government not agree that even if in fact the court is overworked, what would be required to overcome this sort of problem is simply some sort of safety device, shall we say, whereby when the arrears reaches five years somebody will automatically initiate action even if it still takes a long time.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The most that this bench can do in those circumstances is to issue the necessary instructions. I will see that those instructions are issued. Whether they are carried out is a matter obviously which members of the House would naturally address their questions to the appropriate officials concerned.

HON M XIBERRAS:

Mr Speaker, the Honourable the Financial and Development Secretary has referred to a Select Committee of this House and a Public Accounts Committee and since there are a number of questions on the Order Paper concerned with the Auditor's Report, would the Honourable Member care to tell the House what exactly he is referring to?

MR SPEAKER:

All the Honourable Member has said is that this particular action is within the province of the Select Committee.

HON M XIBERRAS:

Mr Speaker, since there is, to my knowledge, no such Select Committee and since the Public Accounts Committee is still some way to seeing the light of day, if ever it sees the light of day ...

HON FINANCIAL AND DEVELOPMENT SECRETARY:

And whose fault is that?

HON M XIBERRAS:

Certainly not ours, Mr Speaker, we have been pressing for it for some time.

MR SPEAKER:

Order. We are at question time and we are not going to make statements.

HON M XIBERRAS:

Would the Financial and Development Secretary not consider it an unfair answer to this House to say that this is in fact ...

MR SPEAKER:

That is a matter of opinion whether it is fair or unfair.

HON M XIBERRAS:

Mr Speaker, the Honourable Member has in fact, said that these questions are answered by a Public Accounts Committee. In the absence of such a committee and until such a committee is formed who, indeed, is responsible for answering these questions?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

That is the chicken and the egg, isn't it? If there was a Public Accounts Committee it would be the officials concerned who are responsible but since there isn't there is no one.

HON M XIBERRAS:

Mr Speaker, could I ask the Financial and Development Secretary whether he is, in fact, aware of the consultations that have taken place?

MR SPEAKER:

No, I will not divert from the question. The question asks exclusively what action does Government propose to take in relation to para 86 of the Principal Auditor's Report.

HON M XIBERRAS:

Mr Speaker, am I right in interpreting the answer of the Financial and Development Secretary as saying that the Government intends to take no action until a Public Accounts Committee is formed. Is that the answer of the Financial and Development Secretary?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I didn't say that, Mr Speaker, I gave no such impression.

HON M XIBERRAS:

I asked the Honourable Member whether he is aware in connection with a matter which he and not I has raised, of the consultations that have taken place between the Chief Minister and myself and the letter which the Chief Minister ...

MR SPEAKER:

Order. I will not allow anything in connection with the present position on the question of the appointment of a Public Accounts Committee.

24.10.78

No.155 of 1978

ORAL

The Hon Major R J Peliza

Are the allegations made in paras 9 and 10 of the Principal Auditors Report 1976/77 that Financial Instructions and Stores Regulations are not only in insufficient supply but also out of date correct and what action has Government taken on this matter and can Government state whether all Accounting Officers have now copies of Financial Instructions and Stores Regulations?

Answer:

The Hon The Financial and Development Secretary

Although I speak from memory, not having seen the Hansard of the debate on Mr Restano's motion at the last meeting, it is my impression that I dealt fully with both paras 9 and 10 of the Principal Auditor's Report in the course of my contribution to the debate on that motion.

As I recall the statement I made then, I said that a first draft of revised Accounting Instructions to replace the present Financial Instructions and Stores Regulations had been prepared but that I had rejected it and that a second draft was being made. I also said that the officer who had been assigned full time to prepare new draft Instructions had had perforce to be taken off the task in order to deal with matters connected with the Pay Review.

Nevertheless revised Chapters of the new Instructions dealing with Stores are now in draft form and are being scrutinised by the Accountant General. Once the draft has been approved by him I can see no reason why they should not be issued. The first draft of the Accounting Instructions which will replace Financial Instructions is now almost complete and will be ready before the end of this week.

Moreover, and I think I made this clear in the debate, in so far as the existing Financial Instructions and Stores Regulations relate to detailed accounting processes and procedures - and these are substantially the greater part of both - the existing Instructions and Regulations are as relevant and applicable today as they were before the Public Finance (Control and Audit) Ordinance 1977 was enacted. That Ordinance does not change the established accounting methods and procedures: it is only to the extent that the existing Financial Instructions and Stores Regulations make reference to matters which are dealt with in the Ordinance that they are substantially inconsistent with current practice.

Paragraphs 9 and 10 of the Audit Report are of course factually correct - as far as they go that is, but had they been more explicit on the matters to which I have just referred, the Report would have

presented a more balanced picture of the present state of affairs.

As to the last part of the question I cannot state with certainty one way or the other whether all Controlling Officers have copies of the existing Financial Instructions and Stores Regulations. As the Principal Auditor has stated in paragraphs 10 and 11 that there are insufficient copies in the hands of Departments then I accept this as a fact.

SUPPLEMENTARY TO QUESTION NO. 155 OF 1978

HON MAJOR R J PELIZA

Mr Speaker, is it all that difficult to acquire copies and have them distributed to the persons concerned? Is it such an impossible operation to carry out? Why is it that the Financial and Development Secretary is not in a position today, today after so many months after the report was published not to be able to say that all the people concerned have copies of those Regulations?

HON FINANCIAL AND DEVELOPMENT SECRETARY

Which question am I supposed to answer? There were three or four questions contained in that statement. The answer to the first question is that the existing Stores Regulations are out of print and if the Honourable and Gallant Major will remember, I admitted in my contribution to the debate - he seems to have forgotten what happened in that debate - I admitted that I had not ordered more copies to be produced because at that time I expected revised accounting instructions to be issued very shortly and I saw no point in wasting money on reprinting Financial Instructions and Stores Regulations which were going to be out of date within a relatively short time. Unfortunately, that did not happen.

HON MAJOR R J PELIZA

Would it have been all that expensive particularly if compared with the safeguards that obviously the Regulations and the Instructions are supposed to ensure. Would it be all that expensive to have them photocopied? I do not know how many people need copies of this but I suppose that a score or so would suffice at the most and would it cost Government all that much to ensure that the officers concerned were acting in accordance with the instructions from the Financial Secretary himself or whatever quarter he thinks is responsible for that?

HON FINANCIAL AND DEVELOPMENT SECRETARY

That is a matter, of course, for the Honourable and Gallant Major's opinion. I am not going to enter a counter opinion.

HON P J ISOLA

Mr Speaker, surely in the period of three months since the debate, that represents a quarter of Government expenditure of some £7m. Surely, the cost of photocopying the Financial Instructions and Stores Regulations would in those circumstances be worthwhile from the point of view of the public interest having regard to the allegations made?

MR SPEAKER

The Financial and Development Secretary said that he thought the new regulations were going to be produced quicker and therefore he took a policy decision.

HON P J ISOLA

But, Mr Speaker, that may be so but I would have thought that the question of taking a decision to photocopy would be a matter of minutes and not days and if the drafts had not been acceptable then it must have been obvious, surely, to Government that there would be no instructions available for controlling officers for some time and in those circumstances is it not better to have had the existing one not reprinted but photocopied so that people know what they have to do and cannot use the absence of instructions as an excuse for not doing it.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I shall make it my business to enquire of the officer responsible for issuing the Instructions why duplicates were not made available.

HON G R RESTANO

Mr Speaker, may I ask who in fact compiles the new Stores Regulations which are to be presented soon and in what manner have they been changed from the old set of instructions?

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I require notice of that question. A civil servant compiles them but as to their contents and the manner in which they differ from the existing ones, I shall need full notice of that question.

HON G T RESTANO

Is it one civil servant or was it a group of civil servants?

HON FINANCIAL AND DEVELOPMENT SECRETARY

One.

HON MAJOR R J PELIZA

Could copies of the previous regulations and the new ones that will be coming out be sent to me?

HON FINANCIAL AND DEVELOPMENT SECRETARY

Copies of?

HON MAJOR R J PELIZA

The Stores Regulations and Financial Instructions. Will they be made available to me?

HON FINANCIAL AND DEVELOPMENT SECRETARY

There is absolutely no reason why copies of the Accounting Instructions that will replace the existing instructions should not be made available to Honourable Members if they wish.

HON MAJOR R J PELIZA

Including the previous ones of course.

HON FINANCIAL AND DEVELOPMENT SECRETARY

I know of no copies and I certainly am not going to offer the Honourable and Gallant Major my own copy.

HON MAJOR R J PELIZA

Will it be alright if I volunteer to have it photocopied myself?

MR SPEAKER

Next question.

24.10.78

No. 156 of 1978

ORAL

The Hon G T Restano

In view of recent changes in Government Tender procedures would Government make a comprehensive and detailed statement of the new procedures?

Answer

The Hon The Financial and Development Secretary

I do not propose to take up the time of the House with a comprehensive and detailed statement of the new Tender Procedures. Instead a copy of the Financial (Tender Boards and Tender Procedure) Regulations together with a subsequent Regulation amending the principal Regulation is being distributed to Members with this answer.

SUPPLEMENTARY TO QUESTION NO. 21 OF 1978

HON FINANCIAL AND DEVELOPMENT SECRETARY:

There is only one thing which I must add which is not on the printed version of my answer and that is that these Regulations were made under Section 76(2) of the Public Finance (Control and Audit) Ordinance and do not have the force of law.

HON G T RESTANO:

Mr Speaker, there are just one or two questions I would like to ask the Honourable the Financial and Development Secretary. Why there seems to be a lack of uniformity in the tender notices which are printed in the Gazette especially in relation to tender awards.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I have no idea, Mr Speaker. If the Honourable Questioner would care to refer specific instances of inconsistencies to me or to the Department that issues the notices then quite clearly, they will be investigated.

HON G T RESTANO:

For example, why is it that in some tenders the price of the tender is included and in others the price is not included? Does this, in fact, vary from department to department or what are the reasons?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, I frankly have no idea why it should vary. The awards, as everything else, is supposed to be in accordance with these Regulations and if, as I say, the Honourable Member would care to draw my attention or the attention of the Head of Department concerned with the tender, to any inconsistencies which he considers are, in fact, inconsistencies, they will be investigated.

24.10.78

No. 157 of 1978

ORAL

The Hon G T Restano

With reference to paragraph 27 of the Principal Auditor's Report 1976/77, will Government state what steps have been taken to resolve the dispute between itself and the International Sporting Club of Gibraltar involving some £75,325 at 31st July, 1977 said to be owing to the Government?

Answer

The Hon Financial and Development Secretary

The matter has been resolved and payment was made on 6th October, 1978.

24.10.78

No.158 of 1978

ORAL

The Hon G T Restano

Will Government represent to the appropriate authorities that duty free allowances between Gibraltar and the United Kingdom should be the same as the United Kingdom and other EEC Countries?

Answer:

The Hon The Financial and Development Secretary

No, Sir. Gibraltar cannot expect preferential treatment in this respect as it does not form part of the European Customs Union.

SUPPLEMENTARY TO QUESTION NO. 158 OF 1978

HON G T RESTANO

Mr Speaker, does the Honourable Member not realise that it is a comparatively limited number of people who would be given a preferential treatment and it would I think appear that Gibraltar's case, especially with the present situation, should have that preferential treatment.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I fail to see completely what relevance that opinion has on the question that I was asked.

HON G T RESTANO

Well, Mr Speaker, if the Honourable Member cannot see that then . . .

MR SPEAKER

The Honourable Member has said that the regulations do not entitle Gibraltar to benefit from these concessions. There is nothing he can do about it, however deserving our case may be.

HON G T RESTANO

I am asking the Government to make representations to make an exception for Gibraltar because we are only dealing with 25,000 people which is negligible to the number of people who enter the United Kingdom.

HON FINANCIAL AND DEVELOPMENT SECRETARY

As I have said, Mr Speaker, Government does not intend to make representations that Gibraltar should be treated exceptionally. Gibraltar is not a part of the European Customs Union, it does not apply the common customs tariff of the EEC and therefore it is not eligible to receive the same treatment as other members who are of the European Customs Union receive. I might add for the Honourable Member's edification and anybody else that the Channel Islands are also treated as being outside the European Customs Union.

HON G T RESTANO

Mr Speaker, I think that precisely because we are talking about duty free allowances which have nothing to do with levies which are raised in the EEC, this is precisely why I think that Gibraltar should be made an exception.

HON FINANCIAL AND DEVELOPMENT SECRETARY

The Honourable Member seems to know a great deal more than the authorities which I have quoted. As far as I know the one goes with the other. If you are a member of the Customs Union the duty free allowances apply, if you are not a member then different allowances apply.

HON G T RESTANO

Mr Speaker, if the Minister prepared to make any representations at all?

HON FINANCIAL AND DEVELOPMENT SECRETARY

I repeat. No, Sir.

MR SPEAKER

Next question.

24.10.78

No.159 of 1978

ORAL

The Hon G T Restano

Will Government consider making available funds to help pensioners and persons with low incomes pay this winter's electricity bills as is done by Government in the United Kingdom?

Answer:

The Hon the Minister for Labour and Social Security

In Britain a Local Authority is not empowered to subsidise the fuel bills of an elderly person. There, as in Gibraltar, the basic Supplementary Benefit rates include an element to cover lighting and heating costs. In Britain there is a special extra heating allowance which may be paid to persons on Supplementary Benefits whose mobility is seriously restricted by chronic ill-health or through general frailty or advanced age, or whose accommodation is damp or otherwise difficult to keep adequately warm. The special allowance is not applicable to persons on low incomes (whether pensioners or not) unless their income is in fact derived from Supplementary Benefits.

In the course of the Budget meeting of the House last May I announced that the rates of our Supplementary Benefits for persons living on their own were being increased in June as an interim measure pending the general revision of the scheme in January 1979. These interim increases were intended precisely to meet the higher electricity and water bills which they were expected to receive about that time.

SUPPLEMENTARY TO QUESTION NO 159 OF 1978

" HON G T RESTANO:

Mr Speaker, Sir, the Minister rightly says that in Britain this scheme applies to those elderly people who are on Supplementary benefits and who require further assistance. Does the Minister not agree that there are certain people in Gibraltar who, if they are living in England would qualify for these sort of benefits?"

Mr Speaker, the reason is not because the temperature in England is much colder than here, people here in Gibraltar suffer quite considerably from the cold in the winter. If he agrees that they would be entitled to receive benefits of this nature, would he not investigate the possibility of creating a fund for those unfortunate people here in Gibraltar who may be afraid to use their ovens because they are afraid they will not be able to pay their electricity bills at the end of the month.

HON A J CANEPA

We have made provisions for this already, Mr Speaker, in the scheme.

We do take into account the extent by which electricity is increased and we make general provisions for all people on supplementary benefits so that they will be able to afford to pay their electricity bills.

HON M XIBERRAS

Mr Speaker, I think what my Honourable Friend is asking quite clearly is whether the Minister is prepared to make specific provisions for this item.

HON A J CANEPA

It is unnecessary in my view, Mr Speaker.

MR SPEAKER

Next question.

24.10.78

No. 160 of 1978

ORAL

The Hon G T Restano

Is Government satisfied that Regulations that only provide for physical verification of 20% of Stores held by Government Department by Boards of Survey is sufficient to safeguard the public interest in the matter?

Answer:

The Hon the Financial and Development Secretary

Sir, the Stores Regulations to which the Honourable Questioner is referring do not, as he maintains, only provide for physical verification of 20% of stores by Boards of Survey.

The Regulations - and there are some 257 of them - also cover such matters as the supervision and custody of stores, the maintenance of stores ledgers, the purchase of stores locally or through the Crown Agents, the procedure for the receipt, issue, return or handing over of stores, the treatment of items on the inventory charge and the method of accounting for unallocated stores. In the latter case they require the keeping of financial ledger accounts, reconciliation of figures with the Treasury, the maintenance of cost books, the ascertainment of the issue price of stores, the monthly statements of issues, annual tabular summaries of transactions and the treatment of stores condemned by Boards of Surveys.

Thus clearly the Regulations do not merely provide for a physical check of 20%. Moreover to say that in the case of unallocated stores only a 20% verification of stores is required does not go far enough. The 20% is the minimum of the balances shown in the ledgers to be verified and where any item is selected for verification the actual stock must be verified one hundred percent.

Whether or not this percentage is adequate for the purpose is a matter of opinion but in the Government's view it is, considering that the Boards of Surveys are normally carried out twice a year; that one of those has an element of surprise; that different items of stock are required to be verified in consecutive surveys; that similar but independent verification is undertaken by the Principal Auditor at his discretion, and that it is part and parcel of the duties of Heads of Departments to carry out test checks on all stores under their control at irregular intervals. Moreover, staff resources are limited, and the surveys are conducted in accordance with these regulations invariably take up as much as five full working days, which perforce interferes with routine business at the stores quite apart from taking Board members away from normal duties.

24.10.78

No.161 of 1978

ORAL

The Hon J Bossano

Can Government give the end of the month currency note circulation figures for the months of June, July, August and September this year, and how the figures for the first 7 months of the Financial Year compare with the ones used for the Government Estimates in projecting the revenue yield that would accrue from the Currency Note Income Account?

Answer:

The Hon the Financial and Development Secretary

Yes Sir. The actual figures were:

30 June	£4,775,274
31 July and 31 August	5,175,274
30 September	6,511,410

These figures would give a distorted picture if I failed to add that during the course of this month that is October, the value of notes in circulation has dropped to £5,611,410. As far as the revenue yield from the Currency Note Income Account is concerned it is now evident that the estimates of £400,000 should rise by approximately £90,000 assuming of course that the circulation figure will be maintained at around £5.5m and that interest rates will not drop sharply during the remainder of 1978-79.

SUPPLEMENTARY TO QUESTION NO.161 OF 1978

HON J BOSSANO

Would the Honourable the Financial and Development Secretary not agree that in view of the fact that there is an obvious correlation between wage increases and the value of housing in circulation, it is not only likely that the figure that he has given will remain so that in fact it will increase as a result of private sector pay negotiations which have not yet been finalised.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Mr Speaker, there is an obvious correlation in that statement of opinion, it could well be true but at this stage I am not going to divulge the estimate any further.

24.10.78

No. 162 of 1978

ORAL

The Hon J Bossano

Can Government state what have been the receipts of revenue under Indirect Taxation in the months of June, July, August and September this year and how these figures compare with the same months last year?

Answer

The Hon The Financial and Development Secretary

Yes Sir. Receipts, that is, cash collections and credits, in respect of Indirect Taxation (Head 2 of the Revenue Estimates) in regard to the months in question were as follows:

June 1978	£297,493
1977	299,327
July 1978	293,023
1977	296,863
August 1978	282,535
1977	273,279
September 1978	355,255
1977	273,342

The 1978 figures are still subject to verification and of course subject to audit.

24.10.78

No.163 of 1978

ORAL

The Hon J Bossano

Can Government state what have been the receipts of Revenue under Income Tax in the months of June, July, August and September this year and how these figures compare with the same months last year.

Answer:

The Hon the Financial and Development Secretary

Receipts of Revenue under Income Tax for the months of June, July, August and September 1978 and corresponding figures for 1977 were:

June 1978	£ 909,726
1977	323,181
July 1978	917,184
1977	433,200
August 1978	963,861
1977	406,492
September 1978	1,620,375
1977	277,120

The difference between the one year and the other can be attributed to the payment of arrears of the Pay Review.

SUPPLEMENTARY TO QUESTION NO. 163 OF 1978

HON J BOSSANO

Would the Financial and Development Secretary agree that it is likely that the Estimates of the income tax yield this year will be exceeded from the figure included in the Estimates in April?

HON FINANCIAL AND DEVELOPMENT SECRETARY

I should be very happy if it did.

HON J BOSSANO

Is he in a position to think that it is now which he was not six months ago?

HON FINANCIAL AND DEVELOPMENT SECRETARY

I am not supposed to give matters of opinion. I prefer to rely on my previous answer - I hope that it will be.

HON P J ISOLA

May I ask the Honourable the Financial and Development Secretary. I notice he said in his reply that these increased figures were due to the payment of arrears. Does he mean by that, that October and November and December he expects a drop in the amount paid in income tax? Does he expect to drop and if so can he tell the House of what order?

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, it would undoubtedly be a relative drop for the forthcoming months but what the order of that drop is I have no idea.

HON P J ISOLA

But, surely, Mr Speaker, if the Financial and Development Secretary can make a statement that the increase in income tax was due largely to the payment of arrears, he must know the amount of tax paid on those arrears. Perhaps, he could give us that figure and then we can do our own figures. I do not know whether that is possible.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, if the questioner would like that information I will endeavour to get it for him but I require notice to get figures of that nature.

HON P J ISOLA

Mr Speaker, I would be grateful if I could have them and then I will try in my little machine and see if I can do an estimate.

The Hon P J Isola

Has Government investigated the allegations contained in paragraph 73 of the Auditors Report 1976/77 in which he states that there are a number of cases where prices charged in respect of overseas purchases showed significant increases over those originally quoted by the suppliers themselves and that a number of errors have been noted in the amounts charged on the invoices including calculation errors which have been certified in the relevant department as correct and what action has Government taken or is taking in the matter?

Answer:The Hon the Minister for Public Works

Although no Audit Queries had ever been raised on purchasing procedures, on the 3rd February 1978 the Public Works Department withheld payment for certain plant supplied as the price was obviously excessive. There and then purchasing procedures were amended, the Stores Section were instructed to check on previous invoices, and representations made to the Buying Agent on 6th February 1978.

The Principal Auditor first raised the issue in his memorandum of 9 February 1978, received in the Department on 13 February 1978, dealing with certain errors and purchasing procedures generally. By then of course the Department were already dealing with the matter. In the meantime, another case came to light in which the Buying Agent had charged the Department an excessive price and again immediate representations were made.

The Buying Agent, after investigating the matter, admitted that in the former case there had been an administrative error at their office; in the latter case an error by the actual manufacturers was traced. In the former case the account was adjusted at the time of payment and in the latter case the monies overcharged were refunded to the Government.

On re-checking past invoices, some arithmetical errors have come to light which regrettably were not spotted at the time. All other Audit observations and queries since raised are presently being gone into.

SUPPLEMENTARY TO QUESTION NO.164 OF 1978

HON P J ISOLA

Can I ask the Minister if he can tell the House what is the order, in terms of money, of the amounts which his department consider they have been overcharged over the years? He has only mentioned one or two cases. Is he saying, in fact, to the House that there are only two cases. The impression one gets from reading that report is that there are a number of cases. Can he tell us the order of money involved? Does his department know or has it investigated?

HON M K FEATHERSTONE

To say over the years, Sir, would be very difficult. I do not think there are all that number of cases as such although there is a certain polemic going on with the buying agents as to whether they act entirely as buying agents or as wholesalers. The first error was a matter of some £400 and the second error was some £8,000. This was the amount of money that was refunded to us.

HON P J ISOLA

Can the Minister state what was the order of the calculation errors apart from those two which he mentioned in his statement? Of what order is the amount involved there?

HON M K FEATHERSTONE

No, Sir, I cannot state but I understand they were only minor amounts.

HON M XIBERRAS

Whilst thanking the Minister for his constructive attitude to the question on the Principal Auditor's Report, could I ask him whether there have been in fact any changes in the system instituted?

HON M K FEATHERSTONE

Sir, subsequent to the finding of these errors the Public Works Department insisted on a change of system from the buying agent under which the buying agent would supply the actual invoice of the manufacturer plus the percentage agreed that the buying agent they charge above. This is when I say there was a polemic in which the buying agent, in some instances, said that he would not be required to produce the manufacturers invoice since he was acting as a wholesaler and not as a buying agent. I think we have the matter reasonably cleared up now that he is acting as a pure buying agent.

HON M XIBERRAS

I thank the Honourable Member for that reply. Could the Honourable Member say whether these matters fall within the purview of the controlling officer and if not on whose authority the changes in the system were carried out.

HON M K FEATHERSTONE

The controlling officer made these changes.

HON M XIBERRAS

Mr Speaker, I am doubly grateful to the Minister for giving this information to the House.

24.10.78

No. 165 of 1978

ORAL

The Hon P J Isola

Is Government taking any action to ensure as recommended by the Auditor in his Reports for 1976/77 and 1975/76 that the Government Accounts should be submitted to the Principal Auditor in time for him to present his report to the House prior to the Budget Session in March of each year and is there any chance that such a Report will be submitted following the Auditor's recommendations in this respect before March 1979?

Answer:

The Hon The Financial and Development Secretary

The Principal Auditor's recommendation to which the questioner has referred has my full support. It in fact reflects what for some time has been my own view on the timing of the presentation of the Government accounts and the Principal Auditor's Report to this House since I have no doubt that these papers would provide a useful background to the annual budget debates.

Whether or not such a timing can be attained is another matter. With the expansion in the scope of the Government services, which now include the Public Utility Undertakings as well as an ambitious development programme, the closing of the annual accounts has become a sophisticated and time consuming exercise. The actual tabulation and subsequent printing of the relevant statements once the accounts have been closed can be an even longer process. I am therefore unable at this stage to give any assurance that the accounts will be ready for submission to the Principal Auditor in time for him to prepare his report for presentation to the House before the 31 March 1979. The Treasury will make every effort to do so.

24.10.78

No.166 of 1978

ORAL

The Hon M Xiberras

Has Government now taken a decision to increase Personal Allowances under the Income Tax Ordinance, and if so, to what extent?

Answer:

The Hon The Financial and Development Secretary

No, Sir.

SUPPLEMENTARY TO QUESTION NO.166 OF 1978

HON M XIBERRAS

Could the Financial and Development Secretary tell the House whether to his knowledge there have been in fact negotiations or talks on this matter between Government and any other party?

HON FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Sir.

HON M XIBERRAS

Can I ask the Honourable Member whether he himself has been involved in the negotiations or discussions and if so what is his forecast of the possibilities of increasing personal allowances under the Income Tax Ordinance?

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I was present at the meeting which the Honourable and learned Chief Minister held with certain parties. It was a meeting, it was a discussion, it was not negotiation. As to the latter part of the Honourable Leader's question, it seems to me that it was a blatant request to express an opinion.

HON M XIBERRAS

I would have called it a judgement or a forecast, Mr Speaker. Would the Financial and Development Secretary not agree that bearing in mind his reply to question No.163, asked by the Honourable Mr Bossano, on the receipts of revenue under Income Tax Ordinance, the forecast appears to be somewhat favourable.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the adjustment of personal allowances is a matter which can only be considered in the context of the Government's overall financial position and in particular in relation to the cost of maintaining the public services at their present level. The Government's financial situation as estimated and presented to this House, is set out in the financial statement which appears on page 5 of the printed Estimates. A glance at this statement will show that the Government has budgetted this year for a deficit of £761,000 and there is no room therefore to reduce revenue from any one source without a compensating increase in one or more other sources. The Government estimates that for each £100 increase in the personal allowance an additional £ $\frac{1}{2}$ m would have to be raised from other forms of taxation or by increasing what the public now pays for the services it enjoys or by a combination of both. An alternative, of course, would be to reduce the level of services which the Government provides for the community as a whole. The final word will of course have to wait for the budget.

HON M XIBERRAS

Mr Speaker, I see we have not advanced very much from his statement I think it was round budget time. Mr Speaker, would the Honourable Member bear in mind, in considering these matters and to the extent that he is involved in this process, would he bear in mind his own admonitions to the House and to the community, generally, about efficiency in the public service with a view to being able to increase personal allowances in income tax which can help a good number of people who need to be helped in that particular level.

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I have no hesitation whatsoever in saying that in framing the 1979/80 budget the question of allowances under the Income Tax Ordinance was quite clearly a major consideration but which way the decision goes the Honourable Leader of the Opposition will have to await until the Budget is announced.

HON M XIBERRAS

I have been waiting for about four years Mr Speaker. Could I ask the Honourable Member whether therefore I am right in saying that it is not likely that there will be a revision of personal allowances in income tax before the next Budget?

HON FINANCIAL AND DEVELOPMENT SECRETARY

As far as I am concerned it could be that there will be and it could be that there will not be. You pays your pennies and you takes your choice.

HON P J ISOLA

Mr Speaker, can the Financial and Development Secretary inform the House of what the Government told the Gibraltar Trades Council in this regard? Is it the same as what he is telling us now or is it something different? Could we be let into the secret about how Gibraltar is really governed?

HON CHIEF MINISTER

Mr Speaker, it seems that some people get annoyed when there is no trouble between the Unions and the Government. There was a meeting at which I attempted to explain the situation to those who had addressed a petition to me together with other members of the Trades Council who came, on the general situation of Gibraltar very much more detailed than what the Financial Secretary has said because of course he is addressing a House of experienced Members who know exactly what the situation is by reading the statement. There were no promises, there were no negotiations, there was just simply an exchange of views and an offer, which remains, to the Trades Council to meet them at any time if they wanted to clarify any point on any matter touching taxation. The policy of the Government is decided by the Government and the Government only.

MR SPEAKER

Next question.

The Hon M Xiberras

What action can Government take if any, on the complaint made by the Auditor in paragraph 89 of his Report on the Accounts for 1976/1977 that accounts and persons have been paid by the Accountant General on an extensive basis without any supporting document or vouchers or invoices for the payment of these accounts?

Answer:The Hon the Financial and Development Secretary

Mr Speaker Sir, the Principal Auditor does not "complain" any more than he makes allegations. I do not accept the word extensive as used by the Hon Leader of the Opposition in the question. The Principal Auditor states in paragraph 89 of his report that the number of defective vouchers had increased considerably in the past few years. That is not the same thing. Moreover, the Principal Auditor's statement that this was apparently as a result of shortage of staff is not also entirely in accordance with the facts as I understand them. Such information as it has been possible to obtain in the short time available to answer the question, suggests that the change in the procedure for checking salary vouchers and traders bills by the Treasury to which the Principal Auditor refers was a deliberate decision taken as far back as May 1974 when the following circular was issued to all Heads of Departments and Government Officers.

"CIRCULAR NO.108 OF 22 MAY 1974

CHECKING OF SALARY VOUCHERS AND TRADERS' BILLS

With effect from the 1 June 1974, the Treasury will discontinue the checking of salary vouchers and traders' bills submitted by Departments. The former will simply be posted into the officers' record sheets, and any over-payment or under-payment will consequently not be picked up in this office.

2. This change in procedure, which is a necessary measure to keep down the growing volume of work in the Treasury, will place on Heads of Departments full responsibility for ensuring that all vouchers submitted to the Treasury for payment are one hundred per cent correct.

3. The Treasury will, as hitherto, afford whatever assistance is required by Departments by way of advice, but the attention of Heads of Departments is drawn to Financial Instructions 3 to 5, regarding their duties and responsibilities and to the need for ensuring that these are at all times duly complied with.

4. It will be appreciated that if there are any over-payments in respect of salaries or purchases those will only come to light in the course of

audit, and that consequently in some cases it may be too late for recovery. In all such cases the Head of Department will be held personally responsible and may be surcharged with the loss, in accordance with Section 25 (2) of the Financial Procedure Ordinance. (Issued by authority of the Financial and Development Secretary)"

The information obtained also suggests that the decision was not taken lightly but was very much influenced by a UK organisation and methods team which looked into the Treasury in 1971. I shall only read the relevant paragraphs of their report.

Section 1 Paragraph 4

"VALIDATION OF RECOMMENDATIONS

All the recommendations made in this report have been discussed fully and agreed with the Financial and Development Secretary, Director of Audit, the Accountant General and senior members of both Secretariat and Municipal Departments. The recommendations pertaining to the Municipal Department revision have also been discussed and agreed with the Finance Officer. As agreed with the Financial and Development Secretary many of these recommendations are capable of immediate implementation".

Section 3 Paragraph 4.1

"It is recommended that the present system of checking every payment voucher be discontinued and replaced by a sample check and verifications. By instituting a procedure of sample-checking, of 10 - 15% at most, considerable savings will result in the staffing of the section . . .

The main change consequent on the implementation of this recommendation will be the increased responsibility placed firmly with those who authorise expenditure of public money. Heads of departments will have to look more to their own departments for checking accuracy and rely less on the Treasury's traditional rear-guard support . . ."

Section 3 Paragraph 6.1

"It is recommended that the practice in Establishment section of checking and double-checking departmental paysheets be ended forthwith, and that the total responsibility for ensuring accuracy in preparing paysheets be placed firmly on the shoulders of departmental heads. The functions of the Treasury would and should be only to note deductions to be made from salaries and to pay the next salaries . . ."

Thus full responsibility for ensuring that all vouchers submitted to the Treasury for payment were 100% correct was placed on controlling officers and the Accountant General's role in regard to such payments was envisaged at the time as being that of a Paying Officer only.

Given a Public Accounts Committee and the examination by that Committee of matters such as these, it could be expected that all Departments would be made to realise and carry out the responsibility placed on them by the circular I have quoted. It is not proposed to alter the system.

I am informed in regard to item (v) of paragraph 89 of the Principal Auditor's report that as from August this year payments made to firms are by way of crossed cheques. The deficiencies referred to in this item should not now arise in future.

SUPPLEMENTARY TO QUESTION NO.167 OF 1978

HON M XIBERRAS

Mr Speaker, with respect to this Circular of 1974, is the Financial and Development Secretary satisfied or has he asked the Principal Auditor whether his complaint or his point, whatever one wants to call it, is in fact attributable solely to this particular circular or are there any other practices to which he was referring?

HON FINANCIAL AND DEVELOPMENT SECRETARY

It is not for me, Mr Speaker, to ask the Principal Auditor to substantiate or to give reasons for the statements that he makes in his report. As I said at the beginning the Principal Auditor states the facts as he sees them and to the best of his ability to establish those facts.

HON M XIBERRAS

Mr Speaker, is the Financial and Development Secretary himself satisfied that this circular is the sole source of the general complaints?

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I am satisfied that it is the reason for the partial check which is carried out in the Treasury, not the complaint, there was no such complaint.

HON P J ISOLA

It was a rather long answer but in the recent instructions which we heard him say had been issued to Controlling Officers in which reference is made to complying with certain financial instructions in the recent instructions given, does he not consider it would be helpful to ensure that all those people who have received that circular have, in fact, a copy of the Financial Instructions because if they do not, are we not in the same position?

HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, I have already said that I shall issue instructions to the appropriate Government official to ensure that copies of Financial Instructions and Stores Regulations are available to those who need them.

MR SPEAKER

Next question.

The Hon P J Isola

Can Government state why no Log-books or daily record sheets are being maintained in relation to the vehicles of the Housing Department as alleged in paragraph 55 of the Auditors Report? Can Government further state whether this practice of not keeping records of the use of Government vehicles exists in other Departments of the Government and if so, which Departments?

Answer:The Hon the Minister for Housing and Sport

Log-books or daily record sheets for Government vehicles in the Housing Department are not being maintained as a result of Union instructions.

I understand that other Government Departments are similarly affected and negotiations between the IRO and Unions are continuing; it is hoped that a satisfactory solution can soon be found.

SUPPLEMENTARY TO QUESTION NO.168 OF 1978

HON P J ISOLA

Can Government state what other Government departments are affected, please?

HON H J ZAMMITT

Mr Speaker, I understand that all Government departments are affected.

HON P J ISOLA

Could I ask the Minister if he is in fact the person who is dealing with this matter or is there another Minister dealing with the question of the breach of Financial Regulations, or whatever it is, as regards log books and how long has this been in fact going on for? When was the last log book kept?

HON H J ZAMMITT

Mr Speaker, the fact that I have answered the question is because there is particular reference to the Housing Department as such. I am certainly not aware with exactitude of what the position is as regards the other departments. I cannot, I am afraid, Mr Speaker, say for how long this has been going on.

HON P J ISOLA

Can the Minister say whether it is a matter of months or a matter of years?

HON H J ZAMMITT

I would not like to give an estimate on this Mr Speaker, but I think the Industrial Relations Officer is the man who can give the Honourable Member the information he requires.

HON P J ISOLA

And can the Government state whether any other record is being kept of the use of Government vehicles or has the position been that they are now used as and when required or desired by anybody and no record is kept. For example, does a departmental head state when he uses the car? Are there any other alternative forms of record keeping being used by the Government to ensure that public funds are not being just dissipated.

HON H J ZAMMITT

I am afraid I have not that information, Mr Speaker. All I can say is that certainly in the Housing Department a record is kept of petrol consumption and maintenance of the vehicles but as to the actual log book I am afraid nothing is being done at the moment.

HON P J ISOLA

Can Government state whether the consumption of petrol has gone up or down since log books have not been kept? Does not the Minister consider that he really has not got any information to give the House. I just do not know, Sir, why he answered the question.

HON H J ZAMMITT

I have no information to give the House, Mr Speaker. I have answered the question because there is an exclusive reference to the Housing Department. I can only answer for my own department and not for other Ministers.

HON P J ISOLA

Mr Speaker, the question covers the whole ambit of Government vehicles.

MR SPEAKER

I think the Minister has clearly stated that this matter has been dealt on a departmental basis and that he can only answer for his department.

HON P J ISOLA

Mr Speaker, all I can ask by way of comment is that it is a very unsatisfactory situation that the House cannot be given full information on a matter that is of public interest and involves public funds which this House is expected to vote for every year.

HON CHIEF MINISTER

Mr Speaker, I think the House has **been** given the information that this is the result of industrial action and this matter is being the subject of conciliation, if you want to put it that way, or negotiation to try and do away with the grievance that gives rise to this anomaly.

HON P J ISOLA

Can the Chief Minister then, Sir, inform the House as to how long it has been that log books are not kept because this report, Mr Speaker, is 1976/77 so am I right in assuming that this occurred during 1976/77 and it has been occurring throughout 1977/78 and is still recurring 1978/79 and does not the Chief Minister think that this is rather a long period to have conciliation and would it not be wiser for the Government to change the regulations to suit whatever it is that the Union wants in this case. If we accept what the Auditor says this dispute seems to be running into its third year. I know parity took four but this is pretty close to it.

HON A J CANEPA

Mr Speaker, I cannot enlighten the House as to how long this has been carrying on but I am aware of the negotiations that are going on between the IRO and the ACTSS. I get minutes of all meetings and I am aware of the extent of the negotiations and the reasons for the dispute. The men are acting under Union instructions not to fill up forms which are considered to be too complicated for the men to fill up. It is alleged by the Union that a number of these men are unable to read either speedometers or to fill up the forms as required at the moment and the discussions that are taking place are with a view to devising a much more simplified form that could perhaps then be filled by the majority of drivers.

HON P J ISOLA

Mr Speaker, I am very grateful to the Minister for his answer but **does** he agree with me that this must have been going on since 1976 or is the Auditor wrong when he says this.

HON A J CANEPA

I have tried to throw some light on one aspect of the matter. I cannot and I will not deal with the others.

HON J BOSSANO

Mr Speaker, is it not a fact that the situation is not that people were filling up those forms and then stopped filling them up on Union instructions but rather that they had never been asked to fill them up and they are refusing to start doing so now. That was the fact.

MR SPEAKER

Next question.

No.169 of 1978

ORAL

The Hon M Xiberras

Does Government have any indication that the non civilian interest in the Gibraltar Chronicle daily newspaper is waning and bearing in mind the important and the historical standing of this newspaper will Government ensure that it is privy to any developments that might take place in this direction and undertake to inform and consult all Members of the House about them?

Answer:The Hon the Attorney General

The Government does not have any indications that the non-civilian interest in the Gibraltar Chronicle daily newspaper is waning.

SUPPLEMENTARY TO QUESTION NO.169 OF 1978

HON M XIBERRAS

I congratulate the Honourable Member, Mr Speaker, if I may, on his first intervention in the business session of this House. I will not press him very much about this but would the Honourable Member be in a position to assure us on this side of the House that Government will make it its business, within reason of course, to find out if any such development is taking place bearing in mind that there is a committee of general composition with if not Government at least almost quasi Government representation on the Board.

HON ATTORNEY GENERAL

The Government does have a representative in the Gibraltar Garrison Library Committee which has the controlling interest in the Gibraltar Chronicle and so will be kept informed of any development which might take place in the direction mentioned by the Honourable Questioner. If such were to be the case that would be given the fullest consideration and the Honourable Member's request will be borne in mind.

HON M XIBERRAS

Mr Speaker, would the Honourable and Learned Member also bear in mind that there are issues involving the Printing Works side of things and the newspaper side of things and I assume that the Garrison Library Committee would have knowledge of developments in both areas.

HON ATTORNEY GENERAL

Presumably so but it must not be forgotten that the Gibraltar Chronicle is a private company.

MR SPEAKER

Next question.

The Hon Major R J Peliza

Following the Auditor's Report for 1976/77 and his allegations that General Orders are out-dated in many respects can Government state what action it has taken in this respect since the publication of the Report and indeed as these allegations have appeared in Reports of previous years what action have Government taken in compiling up to date General Orders?

Answer:The Hon the Attorney General

It is accepted that the number of amendments which have become necessary over the years makes General Orders difficult to use in some respects and also that there are insufficient copies available. The Orders as a whole are not, however, as outdated as may be thought. Of the thirteen chapters in the book, ten are still substantially valid as a result of amendments made from time to time to keep them up to date. The remaining three chapters, Appointments, Salaries and Allowances and Conditions of Entry into the General Clerical Service, have to a large extent been superseded and replaced by pay review agreements entered into with Unions and Staff Associations, copies of which are, of course, available for all who need them.

There is a need for a new edition of General Orders. There are two reasons why one has not as yet been produced. The first is the extreme pressure of work in the Secretariat in recent years to which previous reference has been made in this House. While this pressure had made it impossible for the staff concerned to turn their attention to the time-consuming task of preparing a new edition, the regulations, as I have said, are substantially valid. I might add that Secretariat staff are always ready to give advice on the regulations to other departments and are in practice frequently called upon to do so.

The second reason why a new edition has not been prepared is that the many changes which have taken place in conditions of service in recent years may require an entirely new format to be given to these regulations and the end result could well be a smaller version of General Orders and separate sets of regulations for different grades.

The whole question of staff regulations has, of course, been dealt with in the Staff Inspection report on the reorganisation of the Secretariat. This report, as the House knows, recognise the acute undermanning which existed in that department and made recommendations for substantial additional staff. These are now being implemented and it is hoped that all new staff will be in post by the end of November. The production of regulations in a convenient form and in sufficient numbers will be among the first priorities of the strengthened department.

SUPPLEMENTARY TO QUESTION NO. 170 OF 1978

HON MAJOR R J PELIZA

I know it is rather a difficult question to ask the Attorney-General as

he is a newcomer but could he give us an indication of time. When does he expect this to be done because these are important matters of management of Government and could he give us an indication. This goes back to 1976 and we are now in 1978. Will it be before the 1980's or will it be before the 1990's?

HON ATTORNEY GENERAL

I am afraid I cannot answer that. The only thing one can say is that it will be done as soon as possible within the priorities of the Secretariat.

HON J BOSSANO

Mr Speaker, is it not a fact that it is impossible today to obtain a copy of General Orders?

HON ATTORNEY GENERAL

I have said that there are insufficient copies. My understanding of the situation is that all departments at least have one and where necessary the Secretariat staff have always given advice when asked by other departments for that advice.

HON J BOSSANO

Is the Honourable Member not aware that there was a dispute in the Generating Station where an inquiry was conducted and the result of that inquiry was to recommend that copies of General Orders should be made available to the people concerned so that they would know how to act in future and that this still has not happened.

HON ATTORNEY GENERAL

I regret to say that I am quite unaware of that.

HON M XIBERRAS

Mr Speaker, are Colonial Regulations or what used to be Colonial Regulations part of General Orders at present?

HON ATTORNEY GENERAL

They are not the same. Colonial Regulations are one thing and General Orders are another.

HON M XIBERRAS

Mr Speaker, since the whole question of General Orders is going to be gone into, there are certain aspects which I believe are reflected in the

present General Orders and were certainly part of Colonial Regulations - I believe it was Colonial Regulation 37. I refer to those matters governing the political activities of Civil Servants and so forth which, Mr Speaker, I would like to know whether the Government has given any consideration to changing.

HON ATTORNEY GENERAL

I would require notice of that question.

HON J BOSSANO

Is a new entrant to the Civil Service expected to be familiar with General Orders?

HON ATTORNEY GENERAL

Yes, those are the terms of his appointment.

HON J BOSSANO

In view of the fact that there are insufficient copies, is it the practice to read general orders to a new entrant when he arrives, Mr Speaker?

HON ATTORNEY GENERAL

I do not know.

No.171 of 1978

ORAL

The Hon M Xiberras

Is it a fact that a Government Circular advertising the post of Stores Officer which included among the duties of such an Officer to check malpractices was in fact posted on Departmental Notice Boards or otherwise circulated and then withdrawn and if so can Government state why such Circulars were withdrawn?

Answer:

The Hon the Attorney General

Yes, Sir, a Circular advertising the post referred to was issued in a Bulletin of Circulars and subsequently withdrawn. The reason for its withdrawal was that, owing to unfortunate drafting, the circular could be interpreted as casting aspersions on the staff.

SUPPLEMENTARY TO QUESTION NO.171 OF 1978

HON M XIBERRAS

Mr Speaker, was the unfortunate part of the drafting the word "malpractices"? Was that what gave offence, in fact?

HON ATTORNEY GENERAL

Sir, it was withdrawn because it could give offence and for the same reason I am not prepared to repeat it.

HON M XIBERRAS

Mr Speaker, I think that is being wise after the event. Has the Government or whoever was responsible apologised to the employees concerned?

HON ATTORNEY GENERAL

The matter was withdrawn after the point was made and that was the end of the matter as far as I am aware.

HON M XIBERRAS

We can take it, therefore Mr Speaker, that in the Government's view there are no malpractices, or alternatively, that the matter should not be mentioned in such a circular.

MR SPEAKER

Next question.

The Hon P J Isola

To what extent has the Gibraltar Government been "borrowing" electricity supply from the MOD in the last four months and in what manner is it envisaged that MOD will be reimbursed?

Answer:The Hon the Minister for Municipal Services

The interchange of electric power between the Government and MOD systems has existed since the late 1950's and was expanded in 1973 when the new Interconnector was commissioned. Since then the interchange of power between both systems has been carried out as necessary for the operation of both systems subject, of course, to plant availability and other operational restrictions. This has been a regular feature over the past few years with interchanges occurring almost every day and is precisely the reason why Government and MOD agreed that this new Interconnector should be installed.

It is therefore entirely logical that in view of the decreased engine availability at King's Bastion over the past few months, Government should have availed themselves of the interconnection facilities in order to minimise the severity of the power cuts that would otherwise have been experienced by the community. During our difficulties, to which I will refer in the debate on the motion on the Order Paper, the help given to us through the Interconnector has been of the order of a balance of 6.5% of units generated over the last six months. Figures, both ways, are calculated quarterly.

It has been suggested to the Government that the MOD should be reimbursed in cash. This suggestion is being considered in this instance in so far as the accrued balance of units is concerned.

SUPPLEMENTARY TO QUESTION NO. 172 OF 1978

HON P J ISOLA

Can the Minister state what sum is represented in cash in the reimbursement? What is the sum being suggested that the Government should reimburse?

HON DR R G VALARINO

It is impossible to say at the moment since the rates have not been calculated.

HON P J ISOLA

Can the Minister state whether since this Interconnector was installed has it been usual to reimburse the MOD in cash?

HON DR R G VALARINO

No, Sir.

HON P J ISOLA

Has it been usual for the MOD to reimburse Gibraltar Government in cash in the past?

HON DR R G VALARINO

Similarly, no.

HON P J ISOLA

Is then the reason why the Ministry of Defence has suggested that they should be reimbursed in cash seen rather to the heavy borrowing that has been taking place in the last four months. They think they can never be paid back in electricity so they want cash. Is that the position?

HON DR R G VALARINO

I think this is entirely supposition on the part of the Honourable Member.

HON P J ISOLA

I am not supposing anything. I am asking the Minister if the reason why the Ministry of Defence has suggested they be reimbursed in cash is because there has been more borrowing than usual in the last four months and they reckon that they will never need that amount of electricity back. Is that the position? If not or if the Minister does not know perhaps he will get to know by the time of the debate and inform the House then.

MR SPEAKER

Basically you are being asked the reasons why the Ministry of Defence are asking to be reimbursed in cash.

HON DR R G VALARINO

The payment of this is merely a thing which we are thinking about. It is possible that we may be able to pay them back in kind.

HON P J ISOLA

Can the Minister give the House an assurance that there will be no increased charges to the public for electricity resulting from any losses to the undertaking resulting from having to pay the Ministry of Defence in cash for electricity.

HON DR R G VALARINO

That is an entirely different subject.

HON P J ISOLA

It will not be when people have to pay, will it?

HON M XIBERRAS

Can I ask the Minister whether, in fact, there is an accumulated debt to the MOD or do we pay our instalments regularly?

HON DR R G VALARINO

I beg your pardon?

MR SPEAKER

You are being asked whether there is an accumulated balance due to the Ministry of Defence or is it settled periodically.

HON DR R G VALARINO

There is an accumulation of 6.5% which they have been supplying us.

HON M XIBERRAS

I am talking about previous years. Do we owe for previous years or have we paid those amounts that we have borrowed?

HON DR R G VALARINO

We have paid back in kind in previous years.

The Hon G T Restano

Has Government done anything in the past four months to alleviate the problems at the Telephone Department in order to overcome delays?

Answer:The Hon the Minister for Municipal Services

Yes Sir. The Government has done everything possible to improve the situation.

SUPPLEMENTARY TO QUESTION NO.173 OF 1978

HON G T RESTANO

What has the Government done, Mr Speaker?

HON DR R G VALARINO

I presume the Honourable Member is referring to the 00 and 95 since the question is not explicit enough. On the 00 and 95 the delay in placing calls naturally depends on the conditions and number of lines available at any one time and the traffic. The Government has been training two new operators who were engaged about two months ago. These operators have proved to be very efficient and it has been possible to reduce the training period substantially. They will now be included in the roster as from the 1st of November. This brings the total to 12 operators which should alleviate the situation now and improve it when the new lines are in service.

HON G T RESTANO

Mr Speaker, I seem to remember the Minister saying at the last meeting of the House that there was no room to put in more operators into the Exchange and that more operators were required for the Exchange. Can the Minister say whether in fact that situation still exists, does he still need more room for the Exchange?

HON DR R G VALARINO

We now have more operators and therefore the existing lines will cover more adequately.

HON G T RESTANO

That was not the question, Mr Speaker. I said that the Minister referred last time to the fact that the Exchange required to be bigger for more operators to work at the same time. I am asking now whether the Government has tried to get more room or not?

HON DR R G VALARINO

If the Honourable Member will go back to Hansard he will find that I did not say that.

HON G T RESTANO

Mr Speaker, I refer the Minister to question No.101 of 1978 where he said there was no possible way of adding more staff unless there was more room.

MR SPEAKER

You are not questioning Hansard are you? You may wish to explain the reasons why you said it.

HON DR R G VALARINO

I am not questioning Hansard. One of the things was the question of providing more room. We found that the extra operators could deal adequately with the situation.

HON G T RESTANO

But the impression given, Mr Speaker, was that it was not extra staff on a roster system that was required, that extra staff was required at any given time and I seem to remember that one of the reasons given for the delay in the Exchange answering was because there were not enough people and there was not enough room to put in any extra people. I would like to know whether this is still the situation.

HON DR R G VALARINO

If I remember rightly at the time I said one of the reasons was the shortage of staff, that people were ill and on annual leave at the time.

HON G T RESTANO

Mr Speaker, I have quoted from Hansard. That is not what the Minister said. He said "there was no possible way of adding more staff unless we had more room, and that this is something that we will go into, of providing more room and therefore allowing more

staff to be engaged in the Telephone Exchange." I want to know whether the position has changed.

MR SPEAKER

The Honourable Minister has now said that he has gone into the question of providing more room, that he has found more room and that he has employed two extra operators.

HON G T RESTANO

He has provided more room, is that what he is saying?

HON DR R G VALARINO

Yes.

MR SPEAKER

Next question.

The Hon G T Restano

Has Government taken a decision to purchase STD Equipment?

Answer:

The Hon The Minister for Municipal Services

Yes Sir, preliminary discussions have already taken place with the manufacturers of the STD equipment. Since it has now been decided to instal the earth station, these discussions can now be pursued in a more positive way.

SUPPLEMENTARY TO QUESTION NO.174 OF 1978

HON G T RESTANO

Mr Speaker, can I ask what type of equipment is being bought. I believe there are different types of STD equipment. There is mechanical and there is computerised equipment. May I know which of the two the Government is thinking of purchasing?

HON DR R G VALARINO

This is a technical question and I need notice of the question.

HON G T RESTANO

I think it is absolutely relevant to the question about STD equipment. If the Government says that it is looking into the matter, if it is getting quotations, then, surely, they must know what type of equipment they are buying?

MR SPEAKER

The Minister has said that you have asked a technical question of which he requires notice before he can answer.

HON M XIBERRAS

Can I ask the Minister not to go into the descriptions of computerised STD equipment or otherwise, but does he know on very general layman's lines what sort of equipment his Department, which does not have all that much issues on its plate, is thinking of acquiring. I do not think it is a highly technical question.

HON DR R G VALARINO

Mr Speaker, we cannot say at the present. We cannot answer that question.

HON M XIBERRAS

Would the Honourable Member enquire of his Department what negotiations have taken place and, generally, what is the nature of the equipment. If he cannot understand that he should not be at the head of his Department.

HON DR R G VALARINO

If the Honourable Member will give notice of the question I will be able to answer that at the next House.

HON M XIBERRAS

In other words, Mr Speaker, am I to understand that the Honourable Member is not willing to tell the House?

MR SPEAKER

You can understand what you like.

HON M XIBERRAS

Mr Speaker, I am perfectly free to understand what I like and that is why I want to clarify what I should understand. Am I to understand, in fact, that as a result of this question and as is the practice quite constantly in this House, the Minister is willing or unwilling to find out what type of equipment, generally, his Department is thinking of acquiring.

MR SPEAKER

In fairness to the Minister, he says that he requires notice of the question and if you give him notice he will give you the answer.

HON G T RESTANO

May I know what the cost of the equipment is thought to be?

HON DR R G VALARINO

I refer the Honourable Mr Restano to an answer I gave in the Supplementary to one of his questions, No.101 of 1978.

HON G T RESTANO

So there is no change, it is still the same equipment that is being thought of purchasing?

HON DR R G VALARINO

You asked about the cost, not the equipment.

HON G T RESTANO

We are talking about the cost of the equipment. Is it the same equipment which is going to cost the same amount of money?

MR SPEAKER

You have asked the nature of the cost and the Minister has told you that the cost will be approximately the same as the one he quoted in that particular answer. Whether the equipment is going to be the same, he does not want to commit himself.

HON DR R G VALARINO

That is right.

HON G T RESTANO

And is the time of delivery still the same? It is thought to be about three years?

HON DR R G VALARINO

Again I refer the Honourable Member to the answer I gave him in the Supplementary to Question No.101 of 1978.

HON G T RESTANO

In other words the answer is in the affirmative. Is there no way in trying to obtain equipment sooner than three years from now?

HON DR R G VALARINO

Government will look into the matter.

24.10.78.

No, 175 of 1978

The Hon Major R J Peliza

Can Government confirm that a new distiller is to be built and if so will Government give details of this project?

Answer:

The Hon the Minister for Public Works

Proposals to build two further distillers, each of 300,000 imperial gallons per day, are currently being studied by Government. The building of the desalination plants would be linked to the proposed building of the new generating station on No. 5 Jetty from which the distillers would obtain waste heat to aid in the running of the distiller boilers.

SUPPLEMENTARY TO QUESTION 175 OF 1978

HON MAJOR R J PELIZA:

Can the Minister say if the plans have now been agreed to even before finding out whether the drilling operation for water has been carried out. Has any drilling been done in that respect and would it change the whole planning if water was found?

MR SPEAKER:

The question is very clear. It is not a question as to what the water situation in Gibraltar is like and what is being done to ameliorate it. The question is: "Can Government confirm that a new distiller is to be built and, if so, will Government give details of this project".

HON MAJOR R J PELIZA:

Mr Speaker, in coming to that conclusion has he taken into account the fact

MR SPEAKER:

The answer is that Government has come to the conclusion that two distillers are needed and you can ask any supplementary you wish on these two distillers.

HON MAJOR R J PELIZA:

Well, could we find out if this would be necessary if water is found.

MR SPEAKER:

There is a question on that later on and we are anticipating it.

HON M XIBERRAS:

Can the Government confirm that in arriving at a decision that a new distiller is to be built, as the Minister has told us, it has taken into consideration all relevant sources of supplies of water including the possible one which might be got from deep drilling?

HON M K FEATHERSTONE:

Sir, I have ^{not} said that we are going to build one, two or twenty new distillers. I said that proposals to build two further distillers are being studied by Government. While we are studying it we are looking into the question of bringing water by all possible sources including deep drilling.

The Hon G T Restano

Will Government state what action it has taken on the recommendations of the Coroner's Jury touching the tragic death of Mohamed Ben Mohamed Rouain a Leading Sewerman in the Public Works Department whilst rescuing a fellow worker?

Answer:The Hon The Minister for Public Works

The Public Works Department has set up a small working party to consider the recommendations made by HM Coroner's Jury which will review the current safety procedures and working practices.

The Working Party is made up of members of the City Fire Brigade and the PWD and held its first meeting on 17 October 1978.

SUPPLEMENTARY TO QUESTION NO.176 OF 1978

HON M XIBERRAS

Mr Speaker, as a matter of interest and arising from the question, does the Department of Labour and Social Security, which has certain obligations under the Factories Ordinance and so forth, does it have jurisdiction or even a say in matters of this kind affecting a Department of the Government?

HON A J CANEPA

As far as I am aware naturally it does have jurisdiction and I know that the Factory Inspector was immediately involved in the matter.

HON M XIBERRAS

Could I ask, therefore, why there is not a representative of the Labour Department in the small Working Party and would the Minister not consider that this might be helpful?

HON M K FEATHERSTONE

It is a good suggestion, Sir. The main thing was that the people involved were technical but we have no objection to widening the Committee.

24.10.78

No. 177 of 1978

ORAL

The Hon P J Isola

Given the poor state of a number of our roads and the very substantial revenue accruing to Government from road users, will Government not agree that a major redurfacing programme is necessary?

Answer

The Hon The Minister for Public Works

Owing to the industrial action in 1977, when bitumen supplies were blacked for almost 6 months, considerable slippage occurred in the road resurfacing programme and it became impossible to make this good when the bad weather set in. During 1977 only two major resurfacing works were carried out, Glacis Road and part of Sir Herbert Miles Road. The remainder of the year was spent patching up, including the long trench in the centre of Devil's Tower Road.

Works carried out this year include Waterport Road and the Commercial Mole and a start has been made at Irish Town. Other roads scheduled to be surfaced this year include Corral Road, Rodgers Road, sections of Main Street, once the new sewer trench has settled, and a new road at Tank Ramp which is part of the housing redevelopment. Several other road resurfacing schemes are pending because services have to be renewed before the new surface is laid.

SUPPLEMENTARY TO QUESTION NO. 177 OF 1978

HON P J ISOLA:

Will the Minister explain how the Government, with so much slippage everywhere, does not fall.

HON M K FEATHERSTONE:

The road is made of non-slip material, Sir.

HON M XIBERRAS:

Can we take it, Mr Speaker, that all the things that are supposed to be done, according to the Minister, in the coming year, as part of this year's Budget, are going to be done by direct labour?

HON M K FEATHERSTONE:

Yes, they are done in the majority by Government's own labour force. We did have the question of the sewer that was dug in Main Street and that was done by contract.

HON M XIBERRAS:

But the actual resurfacing is all done by direct labour?

HON M K FEATHERSTONE:

It is done by direct labour, yes.

HON M XIBERRAS:

And the Honourable Member is satisfied that the capacity of that section of the Public Works is enough to cope with the needs of the community?

HON M K FEATHERSTONE:

Yes, Sir.

24.10.78

No. 178 of 1978

The Hon P J Isola

Is Government satisfied that it has acted fairly to local and locally based Building and Civil Engineering Contractors in the matter of winning of sand above Sir Herbert Miles Road?

Answer

The Hon the Minister for Public Works

The winning of sand project will be operated by a Company which will be Government owned and thus the private sector has not been considered for this undertaking.

SUPPLEMENTARY TO QUESTION NO 178 OF 1978

HON P J ISOLA:

Can the Minister state what is the operation presently being done in relation to the winning of sand in Sir Herbert Miles Road, or is there nothing going on at the moment?

HON M K FEATHERSTONE:

There is no winning of sand at the moment in Sir Herbert Miles Road. There is preparation and setting up for the winning of sand to be commenced, possibly, next month.

HON P J ISOLA:

Can the Minister state then that the advice of the consultants that were appointed in relation to the appointment of a particular contractor is not now going to be followed, is that the position?

HON M K FEATHERSTONE:

Sir, I do not see that that question is at all relevant. The advice of the consultants as to the winning of sand is entirely what is going to be done by the Government-owned company. There has been no change.

HON P J ISOLA:

Would the Minister not agree that part of the process for the winning of sand is the preparation of the sand and the Minister must surely be aware that correspondence has taken place in relation to that part of the project.

HON M K FEATHERSTONE:

No, Sir, I would not agree that part of the process of the winning of sand is the setting up or the preparation for the winning of sand, I think they are two completely different subjects.

HON P J ISOLA:

Can the Minister say what is the point of the preparation of sand if it is not going to be followed by the winning of sand?

Is the Minister really not begging the question? He knows what the reason for the question is, does he not? Fairness to local contractors. Appointment by a consultant of a particular contractor to prepare for the winning of sand without giving opportunities to other local contractors, that is the question, Mr Speaker. Surely, the Minister knows that is the reason for the question?

HON M K FEATHERSTONE:

That, Sir, was not the question that was asked, the question that was asked and also, I would comment, the letter in the newspaper recently talked about the winning of sand project and the winning of sand is something completely different to the preparation for the winning of sand.

MR SPEAKER:

In fairness to the questioner the winning of sand is the word being given to a particular project in all its different departments and I think one must not limit it in so far as the question is concerned. It is up to Government to decide what they wish to answer, of course. I do not think we can question the fact that the question is limited as far as the Chair is concerned to the actual stage of the project where the sand is actually being won.

HON M K FEATHERSTONE:

Sir, if we took it into another sphere, we had the question of building distillers, you might have the situation of how a distiller should be built, we might then also have the question of how they are going to be won once they are built. I have taken this question to mean how are we going to win the sand once we have got the situation ready. This is going to be done by a Government company and therefore we did not consider the private sector for this business.

HON P J ISOLA:

May I ask the Minister, please, before answering questions to read the question which is, have they been fair in this matter and then to read a few of the letters that he himself has written as Minister. Could I refer to a letter he wrote on 8 September, 1978, to Mr Scott in which he referred to the winning of sand himself and he states that the consultants stated that in their opinion Messrs Mackley & Co Ltd were the only firm capable of carrying out all parts of the project and in view of this advice Messrs Mackley were invited to tender for the work direct. How can the Minister now put a different interpretation when he talks in his letter that they appointed Messrs Roberts Research International Ltd as consultants for the winning of sand from the upper Rock, certain aspects of the installation required the use of a sub-contractor and so forth. Surely, Mr Speaker, the Minister must be in no doubt as to what the question was directed at and could I have an answer to that question and that is: Is the Minister satisfied that he or his Department or the Government have been fair to local contractors and locally-based civil engineering contractors in the matter of winning of sand?

HON M K FEATHERSTONE:

If the Hon Member is talking about the preparation for the winning of sand then the situation is that we have at the moment a firm of consultants on this, the consultants have given us advice, we have followed that advice and we consider we have acted quite responsibly and quite fairly in the whole situation.

HON P J ISOLA:

I think this matter does require a few questions, I do hope I have the indulgence of the Chair. Mr Speaker, the Minister has just said that they have followed the advice of the consultants. Is the advice of the consultants the advice stated in their letter which is that Messrs Mackley is the only firm capable of carrying out all parts of the project, bearing in mind that he prefaces his paragraph with the winning of sand, all parts of the project and in view of the advice Messrs Mackley were engaged. Is it the opinion of the Government or is it the opinion of the Consultants that Mackleys are the only firm who can do this work?

HON M K FEATHERSTONE:

It says quite clearly that Messrs Mackley were considered by the consultants as the only firm capable of doing all parts of the preparation for winning of sand and I must insist there is a very great difference between the preparation of and the actual winning of sand itself, they are two completely different things.

HON P J ISOLA:

Mr Speaker, I suppose that if the Minister for Municipal Services can plead ignorance about whether you are going to have computers or mechanical equipment, I can plead the same sort of ignorance myself, but can I ask the Minister that the question really is in relation to what has happened so far, the question is directed to the past rather than the future, but is it not a fact, Mr Speaker, that in his letter the Minister states that the consultants had investigated a number of local firms and locally based firms to do this job and said that in their view none of them was able to do the job, is that a fact?

HON M K FEATHERSTONE:

Sir, this letter which the Hon Mr Isola is referring to is a letter I received from a private individual, a Mr Scott, who is now, it appears, the Secretary of the Democratic Party for British Gibraltar. I would comment once again that I stated in that letter that it was the opinion of the consultants that Messrs Mackley were the only firm who were able to do all parts of the preparation contract and this advice was accepted by Government.

HON P J ISOLA:

Does not the Minister accept that he said in the letter that the consultants had investigated - that was his word I believe - certain local firms and that of the five firms that they had investigated only Mackleys were able to do the job. Is that a fact?

HON M K FEATHERSTONE:

I quizzed the person concerned of Messrs Robertson Research who are contractors, about this and they confirmed that this was so and they considered that Messrs Mackley were the only firm in Gibraltar that had the equipment to do this work.

MR SPEAKER:

You are being asked whether certain firms in Gibraltar were consulted.

HON M K FEATHERSTONE:

Yes, Messrs Robertson Research stated that they considered Messrs Mackley were the only firm that had the equipment and the design staff in Gibraltar to do the work.

HON P J ISOLA:

Can I now ask the Minister whether it is not a fact that these consultants approached not one single firm in Gibraltar except Mackleys. Is it not a fact that the Government has letters of protest from each of the local contractors including, from what I see in my list, an international firm of building contractors I think rather larger than Messrs Mackley or anything we have got in Gibraltar and is it not a fact that all these people have said "We have not even been approached or asked about our potential by this firm of consultants" and can the Minister state to the House how the term investigated can be applied in these circumstances and what is he doing about it, if anything?

HON M K FEATHERSTONE:

Sir, as I have said we have had this advice given to us by our consultants but I would comment from knowledge of my own department that if we needed a bulldozer we would not have to go round and consult each and every firm in Gibraltar whether they have got it because we know that there is only one firm that has the bulldozer and I should imagine this information was also known to the consultants and I should imagine that it would be one of the factors that they took into account when they required a bulldozer for the actual setting up of this work. Whether they made specific enquiries to each and every firm on a specific basis, I do not know. I only know that the firm of consultants gave us advice which advice we felt ourselves bound to accept. It is not normal, I think, for consultants to be employed and then everything that they state to be queried right left and centre. Had this been done, perhaps, the consultants of the VTE would have been quizzed by the Government of the day before it was installed.

HON P J ISOLA:

Is the Minister telling the House that in a project of this nature - I am not trying to be a technical man here and I presume that the Public Works Department have their technical staff - that it was not necessary for consultants to enquire from Taylor Woodrow International whether they had a bulldozer or whether they would try to bring one, to enquire from Messrs Gibraltar Underwater Contractors who have been writing to the Government in this relation and must surely be known to

know something about it since 1974, with no reply until after Mr Scott's letter and for Messrs Fabri Construction and the other firms concerned, there was no need to ask them. These consultants arrived from England, knowing nothing about Gibraltar, didn't have to ask anything to anybody. Is the Minister telling this House that that is fair?

HON M K FEATHERSTONE:

I am telling this House, Sir, that we had a firm of consultants suggested to us by ODM who are putting up the money for this scheme. These consultants came out and started work on the scheme. At a certain stage they said to us "this extra work has to be done and we consider the only firm capable of doing this is so and so" and this advice was accepted.

HON P J ISOLA:

Can the Minister tell the House whether he himself thought, when the problem was put to him, that Robertson Research had in fact gone a little more deeply into the matter than they obviously had done? Can he say that at least in his own defence because I cannot believe that the Minister can get up in this House and say that what has happened is fair.

HON M K FEATHERSTONE:

The problem was not even put to me at all. This was dealt with by my engineers who went to the Tender Board and stated that they had this advice given to them by the consultants who were doing the work and the Tender Board accepted the advice of the consultants.

HON P J ISOLA:

Can I ask the Minister then is it the view of the Engineers in the department that this particular firm is the only firm that can do that work in Gibraltar?

HON M K FEATHERSTONE:

No, Sir, it is not stated it is the view of the Engineers, it is the consultants who are doing the job that have stated quite clearly that they consider that this is the firm that should do it.

HON P J ISOLA:

Mr Speaker, having regard to Government policy so recently enunciated on tender procedures, does the department think it can throw aside its responsibility in this matter to the public by having a firm of consultants who do not even look or make any enquiries from any other firm in Gibraltar except one. Does the Government think it can do that and still consider itself to be fair in its tender procedures?

HON M K FEATHERSTONE:

The Government doesn't do that at all, Sir, the situation was that an approach was made to the Tender Board by my Engineers stating that the firm of consultants had said that so and so was considered to be the only firm capable of doing this and would the Tender Board accept this as sufficient reason to make a negotiated contract instead of a

tender contract and the Tender Board in their wisdom accepted the advice of the consultants.

HON MAJOR R J PELIZA:

Should we not expect a firm of consultants on making a recommendation to pass comments on each of their investigations and say "We have come to the conclusion that this is the firm that should be engaged". What I am coming to, Mr Speaker, is that the Government in accepting the recommendations of the consultants should have taken that sort of thing into account.

MR SPEAKER:

Order. Let us not have a statement.

HON MAJOR R J PELIZA:

Did the Government ask for comments as to why this particular firm was the one to do it and not the others?

HON M K FEATHERSTONE:

I am sure if one is going to quiz each and every recommendation of a consultant one won't have a consultant for very long.

HON P J ISOLA:

Mr Speaker, is it not a fact that the Department of Public Works have had increased technical staff in the last three years voted by this Government, a whole fleet of professional men, and is the Minister telling the House that qualified Engineers just take any recommendation tamely without in any way investigating the basis of such recommendation and if that is so, Mr Speaker, why have Engineers in the department, why not let the consultants do the whole work themselves.

MR SPEAKER:

Order. We have got to the stage where we are not going to make any more headway on this question. If Members feel that they want to debate the matter that is another question.

HON M XIBERRAS:

I would like to ask the Minister what he meant when he said that the Tender Board accepted the recommendations of the consultants. Was this a matter in fact that went to tender? In what capacity was the Tender Board advising the Government if the matter went to the Tender Board?

HON K M FEATHERSTONE:

Sir, I think I stated it quite clearly but once again, for the benefit of the Honourable Mr Xiberras, I will say the sequence of events. The consultants advised the Public Works Department that in their opinion there was only one firm capable of doing the preparation for the winning of sand contract. The Public Works Department then informed the Tender Board of this and

suggested to them it would be better, in their opinion, to go to a negotiated contract rather than to go out to tender.

MR SPEAKER:

It is normal to go to the Tender Board, that is what you are being asked.

HON M K FEATHERSTONE:

This is quite normal procedure. This is what happened and the Tender Board accepted the advice of the consultants.

HON M XIBERRAS:

It was, in fact, a negotiated contract with Mackleys, this is what the Minister is saying, am I right in saying that?

HON M K FEATHERSTONE:

A negotiated contract between the Tender Board and Mackleys, yes.

HON M XIBERRAS:

In fact it was the Government and not Robertson that hived off that particular part of the operation to Mackleys, am I right in saying that? It was the Government and not Robertsons.

HON M K FEATHERSTONE:

Robertsons are research consultants, they are not operators.

HON M XIBERRAS:

I am asking if it was a negotiated contract, am I right in saying, between the Government and Mackleys.

HON M K FEATHERSTONE:

Yes, Sir.

HON J BOSSANO:

On the question of the difference between the winning of sand and the preparation for the winning for sand, is it not the case that the sand is actually being produced by Messrs Mackley and being taken away from the site and whose property is the sand, does it belong to the Government or is it part of the negotiated contract that Mackley can do what they like with the sand.

HON M K FEATHERSTONE:

Sir, in the preparation of the winning of sand it is necessary to have a lower level base from which the sand which is won from above the catchment ultimately comes down so that it can be put on the lorries. To do this a bulldozer was needed and I believe Mackleys are the only firm with a bulldozer in Gibraltar.

MR SPEAKER:

No, no. You are being asked what is happening to the sand.

HON M K FEATHERSTONE:

A bulldozer was needed to clear a space to one side of Sir Herbert Miles Road. The sand that has been taken away from that area is Government property that is being sold by the Gibraltar Government.

HON P J ISOLA:

Could I ask on this bulldozer, is it not the practice even in the Public Works Department and in private companies to hire equipment from other companies so is the existence of only one bulldozer in Gibraltar the determining factor for deciding who does the work?

HON CHIEF MINISTER:

There has been notice given that the matter is going to be raised on the adjournment, a perfectly separate question has been put forward by Mr Bossano and it has been replied to, so either we have a debate now or we have a debate later, otherwise we are never going to get on with the business.

HON M XIBERRAS:

Mr Speaker, can I ask a question. There are two questions, in fact. One is, is the project under Improvement and Development Fund Schedule of Supplementary Estimates which is to be considered in this meeting?

MR SPEAKER:

Precisely.

HON M XIBERRAS:

Well, this is what I want to find out, Mr Speaker.

MR SPEAKER:

What do you want to find out?

HON M XIBERRAS:

I want to find out whether on Item 1 - winning of sand from the Upper Catchment area in fact refers to this part of the operation or not.

MR SPEAKER:

But that can be asked when the Supplementary Estimates come along.

HON M XIBERRAS:

Can I then ask, Mr Speaker, what was in fact the negotiated price for the contract.

HON M K FEATHERSTONE:

I think about £160,000.

MR SPEAKER:

Next question.

24.10.78

No.179 of 1978

ORAL

Can Government state whether work on the new Varyl Begg Primary School has commenced by the end of September as Stated by the Minister for Public Works in June?

Answer:

The Hon the Minister for Public Works

Through work on Varyl Begg School sea wall commenced on 12 June 1978 and is expected to be completed by the end of October, work on the Varyl Begg School proper has not yet commenced. The tender was awarded last Thursday and work will commence on 30 October 1978.

No.180 of 1978

ORAL

The Hon J Bossano

Does the Minister for Public Works now agree that the long suffering tenants of Varyl Begg Estate will again have leaky roofs this winter.

Answer:

The Hon the Minister for Public Works

Unfortunately, the dispute between the architects and the contractors continues. In April this year, tests were carried out on a section of one of the roofs of one of the empty blocks. The investigation was carried out by an independent firm of consulting civil and structural engineers whose Report contained certain technical questions to be answered by both parties. The deadline given by Government to the two parties for the submission of their explanations was the end of September. Replies have been received from both parties and these are being considered. Government will then decide the legal action required.

SUPPLEMENTARY TO QUESTION NO.180 OF 1978

HON J BOSSANO

Mr Speaker, but what about the actual repairing of the roofs? This is the position we found ourselves in in January, 1977, when a week's deadline was given to the contractors.

HON M K FEATHERSTONE

We have done on two roofs a certain type of painting and we are hoping that this will, if not so solve, considerably ameliorate the position and should that be so it is quite possible we will paint the other roofs. I do not know until we take the required legal action what will be done on the actual main roofs as such.

HON J BOSSANO

Mr Speaker, was the work done on one of the roofs by his own direct labour? Was that, in fact, the working connection with the consultants or was that something else?

HON M K FEATHERSTONE

I am not quite sure what you mean by work done on one roof by direct labour. Could you elucidate?

HON J BOSSANO

One of the roofs, or part of the roof, was taken up by employees of the Public Works Department by direct labour rather than by contractors. Can you say whether that was in fact done for the basis of the consultants to look at the roof or was that an experiemnt to find out whether there was a way of repairing the roof to render it watertight?

HON M K FEATHERSTONE

No, Sir, that was taken up by direct labour under the instructions of the consultants so that they could see what was actually the situation underneath.

HON M XIBERRAS

And who paid for that, Mr Speaker?

HON M K FEATHERSTONE

We paid it and eventually this will be part of the legal claim.

MR SPEAKER

Next question.

24.10.78

No. 181 of 1978

ORAL

The Hon J Bossano

Can Government state what further progress has been made with the Deep Drilling for water?

Answer

The Hon The Minister for Public Works

The oil pollution from the fresh water pool inside the rock has now been removed and pumping tests are expected to commence within the next fortnight. It is now planned to carry out drillings from tunnels inside the rock and a well driller from ODM has been in Gibraltar this last week to mark the exact locations of the proposed drilling sites. Permission is being obtained from MOD to drill in these tunnels. Tenders for the main drilling project should be invited before the end of the year.

24.10.78

No. 182 of 1978

ORAL

The Hon G T Restano

Will Government give figures for water production from available sources in the months of July, August and September and will Government state the stocks of water that were held on 30th September 1978?

Answer

The Hon The Minister for Public Works

The water stocks on 30.9.78 stood at 38,920 cubic metres.

Production from the various sources was as follows:-

JULY	Wells	11,163m ³	=	2.45 m.	galls
	Distiller NF	18,636m ³	=	4.09	"
	Distiller VTE	8,944m ³	=	1.96	"
	Imported	11,821m ³	=	2.60	"
AUGUST	Wells	10,272m ³	=	2.25	"
	Distiller NF	20,050m ³	=	4.41	"
	Distiller VTE	7,252m ³	=	1.59	"
	Imported	17,799m ³	=	3.91	"
SEPTEMBER	Wells	9,732m ³	=	2.14	"
	Distiller NF	15,428m ³	=	3.39	"
	Distiller VTE	5,602m ³	=	1.23	"
	Imported	16,947m ³	=	3.72	"

SUPPLEMENTARY TO QUESTION NO. 182 OF 1978

HON G T RESTANO:

Mr Speaker, is there any reason for the quite considerable drop in production of the North Front Distiller in September, from 20,000 to 15,000?

HON M K FEATHERSTONE:

I do not remember exactly offhand, I know there was one time during this period when there was a hole discovered in the pipe and some of the water being distilled was running to waste. That may have been in September. I can find out and let you know.

HON J BOSSANO:

What is the percentage of capacity at which the VTE Distiller is working at the moment and is there nothing that can be done to increase it?

HON M K FEATHERSTONE:

It runs on an average Sir, at a most lamentable capacity of 30% to 35%. What can be done to improve it is almost unknown. The technical people of the Atomic Energy Commission who had something to do with it have all sorts of ideas but this would mean shutting the plant down for anything up to 3 to 6 months, which of course we are unable to do. It would also mean spending a lot of money and there is no guarantee it would work. I am afraid, Sir, that the plant itself is a very poor plant and we were sold a pup. Perhaps if the consultants had been quizzed a lot more at the time we would have been better off.

24.10.78

No. 183 of 1978

ORAL

The Hon P J Isola

Does Government have plans for beach conservation and reclamation on the Eastern Seaboard, and if so, when does Government intend to implement them?

Answer

The Hon The Minister for Public Works

Government has no plans at present for land reclamation on the East Side. Owing to the exposed conditions any reclamation scheme would be very costly and it is unlikely that any Development Aid funds would be made available for such a scheme at the present time as housing has much higher priority. It is hoped to complete "first aid" repairs to the Lido before the start of the next bathing season.

SUPPLEMENTARY TO QUESTION NO. 183 OF 1978

HON P J ISOLA:

I was talking of beach conservation. Are there not schemes under which you put out an arm, not a whole reclamation of land but an arm in places like Catalan Bay and Sandy Bay which would then result in the winning of sand for the beach? Does he not know those particular schemes? What is the nature of the order of the cost of such a scheme that would improve the beach conservation?

HON M K FEATHERSTONE:

We have had reports on the possible effects of putting groynes out. They are rather vague in what they say. They feel that in some instances it would build up sand close to the groyne by taking it away from the other end of the beach so we would be no better off in the long run, but even so to do these would be quite costly schemes and we do not have any plans of them for the moment.

24.10.78

No. 184 of 1978

ORAL

The Hon P J Isola

Can Government state what plant is currently on hire to the Public Works Department from Contractors, for what period of time it has been on hire and at what cost, and can Government state the capital cost of the plant held?

Answer

The Hon The Minister for Public Works

At present Government are using the following plant which has been hired from Contractors:-

One winch at a hire charge of £6 per week, estimated capital cost of new plant £2000;

One Poclain digger at a hire charge of £17 per hour, estimated capital cost £20,000;

This item will be required for 2/3 days to clear distiller intake as PWD's mobile crane is stopped for servicing; and

PWD normally hires an average of 4 tipper lorries per day at a cost of £32 each per 8hr day or £8320 per year. These are new rates applicable as from the 23rd October. The capital cost of purchasing a new tipper lorry is approximately £6500 each.

SUPPLEMENTARY TO QUESTION NO. 184 OF 1978

HON P J ISOLA:

These four tipper lorries, have they been hiring this equipment for some time? The Minister seems to be giving it on an annual basis.

HON M K FEATHERSTONE:

Yes, they have been hired for quite a considerable time.

HON P J ISOLA:

Does the Minister not agree that the capital cost involved would justify the purchase of that equipment?

HON M K FEATHERSTONE:

The capital cost involved, of course, would bring in certain other incidental expenses such as the cost of drivers, etc. This hire fee includes the driver and everything. Perhaps

in the long run it would be better to buy more lorries ourselves but it would mean a considerable extra expenditure in any one year, which, of course, the House would have to meet at Estimate time.

HON P J ISOLA:

Taking that argument to its logical conclusion, is the Minister suggesting that it might be better policy for the Public Works Department to hire all its plant from Contractors?

HON M K FEATHERSTONE:

No, Sir, we have a certain quantity of plant and we have a certain number of people engaged. I think I have got some data of the cost of our running a tipper lorry which works out at about £5,000 a year. As I said, the hire charge is £6,500.

HON P J ISOLA:

When equipment is hired, is it done through tender procedure or does the Public Works Department work with particular firms?

HON M K FEATHERSTONE:

This is done through a tender procedure.

HON P J ISOLA:

All equipment on hire by the Public Works Department has been taken on hire by tender procedure? Is that the position?

HON M K FEATHERSTONE:

I should assume that it is normal to do a tender procedure but if, for example, you have a specialised piece of equipment that you know that only one or two firms have it, you ask the two firms to tender rather than go out to general tender.

HON P J ISOLA:

Can the Minister state whether the equipment or plant on hire presently is all taken from one contractor or whether there are separate or several contractors?

HON M K FEATHERSTONE:

No, there are separate contractors.

HON J BOSSANO:

Would the Minister not agree that in fact if the Government were able to increase its capital equipment it might be in a better position both to do more of its own work instead of farming it out to contractors and, secondly, to increase labour productivity by giving them more up-to-date equipment to work with?

HON M K FEATHERSTONE:

I would say you have a point there, yes.

24.10.78

No. 185 of 1978

ORAL

The Hon G T Restano

Can Government confirm that one of the lifts at the Tower Blocks has been out of order for four months?

Answer

The Hon The Minister for Public Works

This lift was reported out of order on the 6th July 1978 and on inspection it was found that the stator was burnt, owing to the overloading of the lift. The stator was sent to the Electricity Department on the same day for rewiring but owing to shortage of Labour the motor took six weeks to rewire. New bearings had also to be manufactured at the PWD Garage.

The motor shaft bearings were also found to be out of centre and had to be machined at the PWD Workshop to achieve a proper fit. The lift has been operational since 20th October. I would add, Sir, that it broke down the next day and it will be out of operation for another two weeks.

SUPPLEMENTARY TO QUESTION NO. 185 of 1978

HON J BOSSANO:

Does the Minister not think it might be prudent to have a spare?

HON M K FEATHERSTONE:

Yes, Sir, in fact we have had two spares but they were used up in repairing the other three lifts of the same type. We were going to order two extra spares so that we will have four spares altogether but the difficulty is, Sir, that the lifts are unfortunately rather roughly treated, they are overloaded, and I believe in one instance the lift that takes eight people had fourteen people and while this sort of thing continues we are going to get these burnouts.

24.10.78

No. 186 of 1978

ORAL

The Hon M Xiberras

Will Government state what areas adjacent to Lime Kiln Steps it is intended to modernise or rebuild?

Answer

The Hon the Minister for Trade and Economic Development

It is intended to modernise all Government housing, including replacement of all services, within the area bounded by and adjacent to Lime Kiln Steps, Lime Kiln Road, Lopez Ramp and Devil's Gap Steps.

It is intended to carry out this work in phases, the first phase of which is now under way.

SUPPLEMENTARY TO QUESTION NO. 186 OF 1978

HON M XIBERRAS:

Is the area called Devil's Gap Road comprehended by this development?

HON A W SERFATY:

The Hon Member means Devil's Gap Steps. Not as far as I can see.

HON M K FEATHERSTONE:

There is no such place as Devil's Gap Road, it is Devil's Gap Steps.

HON M XIBERRAS:

I mean the buildings right at the very top cutting across the Steps.

HON A W SERFATY:

The whole area is bounded by Devil's Gap Steps so some of the buildings are precisely adjoining Devil's Gap Steps. I believe that the Hon Leader of the Opposition is referring to two blocks adjoining Devil's Gap Steps which will be modernised.

HON M XIBERRAS:

Would the Government ensure that a clear delineation of the area is made so that the Government avoids the rather chaotic situation which arose with Phase 1 in Lime Kiln Steps in the re-accommodation of tenants in that area?

HON A W SERFATY:

The delineation is quite clearly shown. If you look at any

map you will see that there is a clear delineation of each of the phases. The trouble, of course, is that the adjoining areas are bound to be affected to a certain extent.

HON M XIBERRAS:

Is Government prepared to consider that the phasing of these operations are more naturally divided than was the case in Phases I and II of Lime Kiln Steps, so that we do not get complaints of people on the borderline who wish to be re-accommodated ahead of time?

HON A W SERFATY:

To the extent that this is possible that is being done.

HON M XIBERRAS:

How many phases are there in the whole of the Development and, roughly, what is the timescale for each?

HON A W SERFATY:

I am afraid I cannot give timescales, I have not got that information, but there are in reality three phases, I, IA and II.

24.10.78

No. 187 of 1978

ORAL

The Hon M Xiberras

In view of the poor record of Government in respect of the last Development Programme, will Government make a detailed itemised statement of projects which it will undertake in the present programme towards which HMG will contribute fourteen million pounds and to which it will also contribute a substantial amount.

Answer:

The Hon the Minister for Trade and Economic Development

At the Aid Talks held in Gibraltar in April between the Gibraltar Government and the ODM it was agreed that British capital aid towards the 1978/81 programme should be £13m, and that progress of the programme should be reviewed after 18 months, in October 1979 when the precise use of £1m out of the total of £13M would be decided. In addition an allocation of £1m for technical cooperation was agreed.

The broad sectoral allocation of the £13M of capital aid was agreed as follows:

Housing	£4.6m
Education	£5.4m
Port, Public Utilities and Miscellaneous	£3.0m

These allocations can be administered flexibly and their precise size may be subject to modification in the light of the progress of the programme if both Governments so agree.

To date, ODM have agreed to contribute £9.4M to specific projects. Approval is awaited for a further £2.1m for projects which have already been submitted to ODM but have not yet been approved. Of the balance of £0.5m of unallocated funds, project applications for schemes valued at £265,000 are in an advanced state of preparation and will be submitted to ODM in November. Applications for supplementary funds to meet rising costs for projects already submitted together with assistance towards consultancy services for power development are expected to account for the rest of the balance.

I will supply in due course Honourable Members with a schedule detailing projects in the Development Programme.

In the 1978/81 Development Programme period the Gibraltar Government is planning to contribute £4.6M towards housing and £2.9M towards miscellaneous projects including Government Offices (£250,000) Signal Station in the Port (£50,000), Improvements to the Waterworks, etc. Power and Water development plans have yet to be finalised because of major unresolved issues and no allowance is made for in the above figures. Likewise, because of uncertainty about future developments with respect to air communications no provision is made in the above figures for the cost of a new Airport Terminal.

The proposed housing development plan means that during the 1978/81 period work will be started on 484 new and modernised houses and that by the end of the period 260 housing units will have been built or modernised, with 286 housing units under construction, the majority of which will be completed in the financial year 1981/82.

Because of the uncertainty about the Power and Water Development the total Government contribution to its own Development Programme cannot be given at this stage. Of the known commitments (i.e. Housing and Miscellaneous projects as already mentioned) totalling £7.5M the bulk of the money will be obtained by borrowing with some contributions from the budget and the proceeds of the home ownership scheme.

24.10.78

No.188 of 1978

ORAL

The Hon Major R J Peliza

Will Government state what alternative mooring facilities have been offered to yacht owners who have been given notice to quit the Destroyer Pens which are due to be filled in, in accordance with Port Development plans?

Answer:

The Hon the Minister for Trade and Economic Development

Notice to quit has not been given to yacht owners at the Pens. However, on 20 July 1978 yacht owners were advised by the Queen's Harbour Master that the jetties presently used by yachts were scheduled to be handed over to the Gibraltar Government. In particular the west side of jetty No.3 and jetty No.5 would be the first. Yacht owners were advised that present facilities would remain available, but that as space became more restricted priority would be given to those on monthly lets.

Yacht owners were requested to make early applications to Sheppard's or White's Marinas so as to be placed on the waiting list for berths, pending the final handing over of the Destroyer pens.

SUPPLEMENTARY TO QUESTION NO.188 OF 1978

HON MAJOR R J PELIZA

Does the Honourable Minister think that by the time that they receive orders to quit the alternative mooring that he is referring to will be available?

HON A W SERFATY

Considering that White's Marina should be ready by next spring, I am hopeful that we are not going to make it too difficult to the present yacht owners at the Pens. Eventually we may even have to berth them along Waterport or, at worst, at the Detached Mole. I hope it does not come to that. I am not pessimistic about undue difficulties.

HON MAJOR R J PELIZA

We all know that the Minister is very hopeful but his hopes do not usually materialise. I was wondering whether in fact he has a contingency plan since normally it so happens with the constant slippage that we are being told practically on every question that we put to the Government, whether in fact he will make contingency plans and not leave it in the hope that everything will be alright so that if it turns up that the White Marina is not ready that the

yacht owners do not find themselves at sea.

HON A W SERFATY

We have made plans. The first yacht to be affected will be very probably the No.8 berth on the west side of Number 3 Jetty. I think it will be possible in the first instance to move the yachts of No.8 berth to the other side of the jetty at No.9 berth. I am not unduly worried.

HON M XIBERRAS

Is the Minister aware that, according to some of the yacht owners, some of the boats are too big to be put into the alternatives that are being suggested, White's and Sheppard's?

HON A W SERFATY

I am not aware of the draught of these yachts but in that particular case some of them will in the first instance have to stay in one of the Pens where it is possible to leave them.

HON M XIBERRAS

In view of the fact that some of these people have been there for a considerable amount of time, four years and five years in some cases, would the Honourable Member consider receiving a delegation from them so that they can put their points across to him?

HON A W SERFATY

I have already received a visit. I have already talked to a number of yacht owners. I am always only too willing to talk to them.

24.10.78

No.189 of 1978

ORAL

The Hon M Xiberras

Will Government state what is the present ownership position in respect of that part of Coaling Island now used by local boat owners?

Answer:

The Hon the Minister for Trade and Economic Development

My information is that Coaling Island is not used by local boat owners save for one exceptional case. Coaling Island remains MOD property.

SUPPLEMENTARY TO QUESTION NO. 189 OF 1978

HON M XIBERRAS

Is there any truth in what I have heard that the Ministry of Defence is considering handing over a part of Coaling Island for this purpose?

HON A W SERFATY

Not as far as I am aware, I wish it were true.

24.10.78

No. 190 of 1978

ORAL

The Hon G T Restano

What progress, if any, has been made in the filling in between Nos 2 and 3 Jetties?

Answer:

The Hon the Minister for Trade and Economic Development

Project application was submitted on the 24th July 1978. Subject to early approval by ODM work would start in February 1979 with a twelve months construction period.

SUPPLEMENTARY TO QUESTION NO. 190 OF 1978

HON G T RESTANO

Has the schedule of project been completed?

HON A W SERFATY

The preparation of plans and quantities are in the hands of Halcrow and Partners in England but we have only just received a letter from ODM on this subject which is receiving the attention of the Economic Advisers, the Captain of the Port and, eventually, of the Government.

HON G T RESTANO

Has ODM then not approved the project or is approval still awaited?

HON A W SERFATY

Approval is still awaited. There are certain queries raised but these are being studied just now.

HON G T RESTANO

When will the project be put out to tender?

HON A W SERFATY

When the project is approved, first of all by ODM, and the tender documents are ready. I said we would be able to start in February 1979, as I said in the original answer. It is not a very long project, about a year or so, so I understand, to execute.

HON G T RESTANO

February 1979 is not many months away. Normally, when documents have to be produced by the Government Departments, it sometimes takes over a year for these to be produced. Can we get an assurance from the Minister that in this case the documents will be produced very much sooner than in most other projects?

HON A W SERFATY

In this particular case we have a consultant in London preparing the documents. It is not like a queue of projects awaiting quantity surveyors and architects to deal with them. We have got a particular consultant doing the work.

24.10.78

No. 191 of 1978

ORAL

The Hon Major R J Peliza

Have Government taken any steps to clear up the area known as The Jungle and have the Government any plans to develop this area.

Answer:

The Hon the Minister for Trade and Economic Development

No attempt has yet been made to clear up the area known as the Jungle. This is a formidable task which requires a large labour force and is therefore bound to be very expensive. It is intended to tackle this area as soon as the necessary resources can be made available.

There are no immediate plans to develop this site save as part of the Upper Rock recreational area.

SUPPLEMENTARY TO QUESTION No.191 OF 1978

HON MAJOR R J PELIZA

Is the Minister sure that it is all that difficult to clean it up and, perhaps, make some arrangement for people to make use of this area? Does it cost all that much? Has he looked into how much it would cost?

HON A W SERFATY

I discussed this matter with the experts and I have asked for an estimate of the work but so far I have only been able to find out, in relation to the preparation for this answer, that it is a big job. I am assured that it is quite a costly operation to clear "The Jungle."

HON MAJOR R J PELIZA

As we are so short of space in Gibraltar could something not be done to make the place attractive and enable people to go for walks there? It is a very nice area and I cannot see why something could not be done.

HON CHIEF MINISTER

May I remind Members that with the help of the Royal Anglian Regiment, they cleared Anglian Way which was in a very bad state and put in a considerable amount of work in order to enhance the place as a path and within six months it was in a shocking state

and the place is unpassable now and it is just impossible to use it.

HON M XIBERRAS

I remember the Honourable Member, Mr Serfaty, placing all manner of objection when the development of the space in front of the Laguna buildings was suggested and we eventually managed to persuade him to do this with the help of a number of people. I was wondering whether he could not try to get the co-operation of the Forces as was suggested for that particular project and at least make a start on the clearing up of this area. It is an amenity which even though it is used by few people, it is still worthwhile having.

HON A W SERFATY

I believe the Forces did some work in "the Jungle" some time ago and we can try again.

The Hon Major R J Peliza

Why have the present Government most of whose members were so opposed to the Mediterranean Hotel being used for anything else other than a Hotel now agreed so readily to the conversion of the building into flats and is it a fact that a decision has been taken to classify this project under The Development Aid Ordinance?

Answer:The Hon the Minister for Trade and Economic Development

The application for Government's consent to change the use of the Mediterranean Hotel to that of holiday apartments was made on 10 April 1978. It was only on 18 October that Government approved the proposed conversion after very careful consideration of all the factors involved. As will be recalled the Government has agreed in April 1972 to allow the hotel to be used by the Services as married quarters and Government's present decision was based not only on past experience but on the advice received that because of inflationary trend in holiday costs there was an increasing demand for self catering accommodation. In the long term a greater demand for this type of accommodation could therefore be anticipated.

An application for a licence under the Development Aid Ordinance has been received but has not yet been considered by Government.

SUPPLEMENTARY TO QUESTION NO.192 OF 1978

HON MAJOR R J PELIZA

Is that not really a complete turnabout on the views of the Minister who said that we should have many more hundreds of hotel beds in Gibraltar? Is it that he has lost faith in the hotel trade?

HON A W SERFATY

We cannot force the owner of a hotel such as the Mediterranean Hotel to use it as a hotel and we could not force the owners of Ocean Heights to use it as a hotel. We were able to save something for the tourism industry by having the hotel, as can be seen in this brochure of Exchange Travel, offered for self-catering holidays which is much better, if I may say so, than letting the hotel to the MOD for the Services as was done during the term of the previous Government.

HON MAJOR R J PELIZA

Is this perhaps, due to the failure of the Government in getting something really effective on air communications?

HON M XIBERRAS

Are the flats in the Mediterranean Hotel for sale or are they for hire?

HON A W SERFATY

What Exchange Travel are offering at the Mediterranean Hotel are holidays for seven and fourteen days. They provide the seats on the plane and the flat accommodation.

HON M XIBERRAS

My question was, are they for sale?

HON A W SERFATY

I suppose that some are for sale but that does not mean that they are not going to be used for holiday accommodation as is happening in Ocean Heights where people have bought flats and have placed the flats in the care of a company that puts them out on offer to holidaymakers.

HON MAJOR R J PELIZA

So that in fact the user is restricted in some respects as the owner of the flat cannot use it for residential purposes as it has got to be used for holiday rental.

HON A W SERFATY

That is up to him entirely. If he wants to live a month in his own flat and let it for another eleven months nobody is going to stop him but I must say it is much better than what the Honourable and Gallant Member did when he was Chief Minister to allow them to be used exclusively by MOD families.

HON MAJOR R J PELIZA

That is a point which of course we cannot go into now. What I am trying to say is that all this business of holiday flats is a make-believe.

HON M XIBERRAS

What proportion of the flats is it intended to sell?

HON A W SERFATY

I do not know what proportion but it is not a question of make-believe, it is happening all along the Costa del Sol, where people are buying flats and letting them for most of the year to holiday-makers.

HON MAJOR R J PELIZA

But we are talking about Gibraltar and not the Costa del Sol. I thought that with the little area that we have here we were making a great attempt to try and preserve those sites which are for tourism, to try and keep them that way so that our tourist industry does not come to a complete standstill.

HON J BOSSANO

Is there anything to stop a Gibraltarian buying one of those flats as an owner/occupier?

HON A W SERFATY

No, Sir, nothing at all.

HON M XIBERRAS

May I ask if any commercial establishment which forms part of the hotel would in the case of the Development Aid Ordinance being applied to this project be exempt from trade licensing?

HON A W SERFATY

The Honourable Leader of the Opposition has raised an interesting point because as the Trade Licensing Ordinance exists up to now and possibly until the end of the year and not later, the granting of a Development Aid Ordinance does exempt from this question of trade licensing but as the Honourable Leader of the Opposition is well aware, because we have already passed the Bill through the first and second stages, the new legislation on trade licensing leaves it to the Government to decide whether a business premises in a Development Aid project has or has not got to be subject to trade licensing.

HON M XIBERRAS

I understand it is up to the Government to decide these matters. I do not know whether the Honourable Member has anything to do with the granting of Development Aid or it is the Financial and Development Secretary? When this question is decided the merits of the actual development will be taken into account vis-a-vis what

the Minister has said in this House, namely, it is a tourist development, is it not?

HON A. W. SERFATY

Absolutely. I am sure this is one of the factors that will be taken into account by the whole Government. I do not decide.

The Hon Major R J Peliza

Does Government not agree that the vacant site in Town Range opposite the Transport and General Workers Building is a major anomaly in a community which is so short of land and have Government planned anything considered effective to correct this situation?

Answer:

The Hon the Minister for Trade and Economic Development

The vacant land referred to is partly Crown Property and partly freehold property. Approval has already been received from ODM for the construction of 26 flats on the land owned by the Government as the first phase of the proposed development of the area for public housing. The freeholders of the other site have also been approached as to the possibility of Government acquiring the adjoining vacant land for Phase II of the programme.

SUPPLEMENTARY TO QUESTION NO.193 OF 1978

HON MAJOR R J PELIZA

I am very glad to hear that at least half of the area is going to be developed but what about the other half that the Minister has just referred to? Can any form of persuasion be used so that something does happen. This area has been fallow for 20 or more years and there are really no signs.

HON A W SERFATY

The Surveyor and Planning Secretary is negotiating and I do not think in fairness that he has made much headway because the price asked is out of the question. I have no idea but it is far too much. In any case, the owner of that site is paying rates already under recent legislation. That is one additional incentive to sell but the other point is that Phase II of the Housing Programme on this particular site will not be carried out during the present development programme and that is why we are not in a particular hurry.

HON J BOSSANO

Would the Minister not agree that it would well prove more economical to develop the whole site rather than develop half the site and come back in the next Development Programme for the other half?

HON A W SERFATY

Not particularly. Speaking with some knowledge of the subject, the two sites have been developed as a whole but there is no problem in carrying out the construction of the first 26 flats by one of the local builders. There is no problem.

HON J BOSSANO

Would the Minister not agree that there is the cost in terms of construction in bringing all the construction equipment to a site and carting it all away and then bringing it all back again and that that cost inevitably tends to be paid by the customer?

HON A W SERFATY

The Honourable Member may have a point there but the extra cost would not justify paying whatever price is asked for that site. I hope I have made myself understood. There is a question of negotiation that has to carry on for a relatively long period and there is no question of the owners believing that we are in a hurry to get on the site. We are not in a hurry to get on the site. Perhaps there might have been a saving if we got on the site at an early stage but the saving is not that great.

HON J BOSSANO

would he not agree that it is possible to purchase the site compulsorily?

HON A W SERFATY

Yes, under the legislation on acquisition of land. I am sure there are other gentlemen here who can answer that question better.

HON J BOSSANO

Would the Minister or another member of the Government not agree that having exercised the Government's right to purchase it at market value, the Government could, in fact, before the step is taken of carrying out this compulsory purchase, introduce a 100% tax on speculative undeveloped land gains and pay the market value and then recover the tax.

HON CHIEF MINISTER

Certainly with the present method of compensation it is not practical to compensate. I entirely agree. Unless we do have legislation which when a place is required for development it is paid at the development value for the developer and not at the speculative value for the owner, the thing becomes prohibitive.

24.10.78

No. 194 of 1978

ORAL

The Hon Major R J Peliza

Can Government state what is the present position regarding the building which formerly held the Christian Brothers Private School at Line Wall Road and have Government expressed an interest in this building?

Answer:

The Hon the Minister for Trade and Economic Development

Line Wall College is owned by the Christian Brothers as a freehold property. I have no knowledge of what is intended to be done with this building. Government has expressed no interest in it.

24.10.78

No. 195 of 1978

ORAL

The Hon P J Isola

Will Government make a statement on the future of the old Gibraltar Grammar School building and site?

Answer:

The Hon the Minister for Trade and Economic Development

Government has negotiated a new lease of Sacred Heart Terrace with the Registered Trustees of the Catholic Church in Gibraltar who own this freehold property. It is intended to use this building as a middle school after certain works have been carried out to it once the necessary funds have been voted for the purpose.

SUPPLEMENTARY TO QUESTION NO.195 OF 1978

HON M XIBERRAS

Are they going to use the school to house St Mary's Junior?

HON M K FEATHERSTONE

Yes, Sir.

24.10.78

No. 196 of 1978

ORAL

The Hon P J Isola

Will Government state the final cost of the Stables especially built at North Front in substitution for the existing ones at Devil's Tower Road and what is to happen to the area vacated?

Answer:

The Hon The Minister for Trade and Economic Development

The final cost of the Stables recently built at North Front was £17.276. The building is to be put out to tender in the near future for storage or industrial purposes.

SUPPLEMENTARY TO QUESTION NO. 196 OF 1978

HON P J ISOLA:

Which building?

HON A W SERFATY:

The Stables.

HON P J ISOLA:

What happens to the horses, Mr Speaker?

HON A W SERFATY:

For the present they will remain where they are.

HON P J ISOLA:

Is the Minister saying, in effect, that although one had an opportunity of clearing the whole area by Eastern Beach for development purposes, the Government is going to commit the stables for other purposes so that when they want to develop the Eastern Beach stable they will have to build a new set of stables? Is that the policy?

HON A W SERFATY:

That remains to be seen whether the Government will have to produce a new set of stables because we are only talking really of one horse and carriage and as somebody told me on this side of the House, maybe it would have been better ^{to buy} this gentleman a Mercedes Benz. The horse and the carriage are still at the Slaughter House site. When we put out that Slaughter House site to tender, as it will be put, then we shall see what happens to the horse.

HON P J ISOLA:

Do the difficulties experienced in these new stables, do they concern the horse or the rent the Government wants for the stable?

HON A W SERFATY:

There is no problem with the rent.

HON P J ISOLA:

Can Government explain why they spent £17,000 of public funds to let a place as a store when they could have put the site out for tender like they do other sites in industrial areas for somebody to spend their own £17,000 on it?

HON A W SERFATY:

The problem of course, as the Hon and Learned Member does not ignore, is that we were going to build a Public Works Garage and Workshop in the Slaughter House and we were in a hurry to get the horse and carriage out of there.

HON P J ISOLA:

Will the Minister not agree that the Slaughter House site which the Union forbade the Government to use as a Public Workshop, is nevertheless a prime site for facilities for the beach so why does the Government leave a horse and the carriage there when they have got a stable to put it in at great public expense. Why don't they move him out and have the area for beach purposes or for whatever purposes the Development and Planning Commission might have for them. Are we going to have to wait another two years while you build new stables the day you make a decision about the other place?

HON A W SERFATY:

I have already said that there were difficulties with the owner of the horse about the stables and we are not unduly worried at the present moment about the horse because as the site in question is a prime site which will be worth a lot of money, we hope that that will facilitate that something constructive can be done about the horse.

HON M XIBERRAS:

Would the Hon Member offer some sort of serious explanation as to why this building was constructed and was so constructed so ineptly, apparently, that it does not serve its original purpose? Can the Hon Member who is responsible for development and knows so much about these things offer an explanation of that?

HON A W SERFATY:

The only available site after looking....

MR SPEAKER:

You are being asked a simple question. Why is it that the stables that have been built have proved to be unacceptable for the purpose for which it was built?

HON A W SERFATY:

That was the only site where we could build a stable. That was the only site then available so the stable was built and I believe it was correctly designed but then there were difficulties with the owner of the horse and carriage.

HON M XIBERRAS:

Mr Speaker, we are talking about public funds and is the Hon Member saying that in his view and in the view of the Government these stables do, in fact, meet the purpose for which they were designed but that the owner of the horse and gharry does not in fact agree. Is that what the Hon Member is saying?

HON A W SERFATY:

There were difficulties with the owner of the horse and gharry going to that stable. What we propose to do is to put that building out to tender and we hope and have reason to believe that the Government will be compensated for the cost of that building.

HON M XIBERRAS:

By whom?

HON A W SERFATY:

When it goes out to tender on the payment of a lump sum.

HON M XIBERRAS:

Government is going to sell it or sell the facilities and recoup the £17,500? Would the Hon Member answer my original question? Can he offer an explanation as to why this building was designed in this way?

HON A W SERFATY:

It was designed in a perfectly good way.

HON M XIBERRAS:

Then why does the Government accept the claim of the owner of the horse and gharry?

MR SPEAKER:

You are being asked a simple question. Can you give this House the reason why the owner finds it unacceptable?

HON A W SERFATY:

I cannot, Mr Speaker.

HON M XIBERRAS:

But if the Government builds something purposely built and is satisfied that it has met its commitment and has done things in the proper way, why should it give way to an objection which, according to its own criteria, is not well founded?

HON A W SERFATY:

Because now I am not in such a hurry to get the horse out of its present site.

HON M XIBERRAS:

But that is not the point Mr Speaker, it is a question of expenditure of public money.

HON P J ISOLA:

Mr Speaker, does the Minister not realise that if £17,500 is not enough for a horse and gharry, when he wants to get this particular person out he may have to pay a higher price and why should public funds be used in this way?

HON M XIBERRAS:

Was the person for whom the place was designed, the owner of the horse, consulted by the builders of the stables?

HON A W SERFATY:

I am not aware whether he was, I could not say for certain.

HON M XIBERRAS:

Was the whole thing done on speculation that the horse and cart could be put into this building at a cost of £17,500?

HON A W SERFATY:

I am quite satisfied that the architects of the Public Works Department can design a proper stable.

HON M XIBERRAS:

Why doesn't he stand by the judgement of the architects? Why doesn't he insist that the gentleman for whom this thing was constructed takes this place?

HON A W SERFATY:

I am not going to make a bone about it when I am no longer interested at the present moment in getting the horse out of the Slaughter House.

HON P J ISOLA:

Can the Minister give an assurance at least that the continued presence of the gharry and the horse in the Slaughter House will not delay re-development plans for the area?

HON A W SERFATY:

I sincerely hope they will not delay.

HON M XIBERRAS:

Isn't it a fact, Mr Speaker, that the stables had to be moved because of urgent development in the particular area of the Slaughter House? If so, and this was the Minister's judgement, that it was necessary to build an alternative place, is the Minister now saying that all his hurry was all in vain and that £17,500

MR SPEAKER:

Order. This is not a question.

HON M XIBERRAS:

Mr Speaker, was all the hurry of the Minister to get this place built all in vain?

HON A W SERFATY:

It was in vain because the site of the Public Works Garage was changed to somewhere else because it was not acceptable to the Union.

24.10.78

No. 197 of 1978

ORAL

The Hon G T Restano

Can Government state to what use the Anglican Home is to be put?

Answer:

The Hon the Minister for Trade and Economic Development

The Anglican Home is not a Government building but is leased to Pymont Limited on behalf of the Board of Governors. The alternative use of the Home is accordingly a matter for the lessees subject, of course, to Government's approval as landlord and to planning consent if a material change of use is proposed.

SUPPLEMENTARY TO QUESTION NO.197 OF 1978

HON G T RESTANO

What percentage of the building, after the two areas that the Minister has mentioned, would be taken over by Government? What percentage of the building would still not be in the Government possession?

HON A W SERFATY

We are not talking of the whole building, we are talking of the Anglican part of the building, because the Jewish Home is still in use. I know that building quite well and the Supreme Court and the handicapped adults is only a temporary measure and of course, we would perhaps not use more than half the building.

HON G T RESTANO

Does Government have any plans for occupying that part of the building on a permanent basis after the Medical and Health Department have vacated it.

HON A W SERFATY

Not at the present moment. Of course, it is not our building.

HON J BOSSANO

Does the Government not think it is a good idea, even if it does not own buildings, in view of the fact that there is such limited space in Gibraltar, to make quite clear of owners of buildings

that if they have no intentions of making any use of it then Government would be interested in taking it over and making use of it rather than simply letting it stay empty because it happens to be in private ownership.

HON A W SERFATY

The Government are now considering, as far as I am aware, the removal of the Jewish Home to another building and then the use of the whole building will be considered, I am sure, by the Governors and then perhaps the Government will consider if it is interested or not in that building.

24.10.78

No. 198 of 1978

ORAL

The Hon G T Restano

Will Government state when further Housing Development at Catalan Bay is to commence?

Answer:

The Hon the Minister for Trade and Economic Development

Government is considering the building of six new dwellings at Catalan Bay during the current development programme. The problem of decanting is being looked into, and if this is resolved it is expected that work will start in the next financial year. The construction programme would have to take into consideration the recreational uses of Catalan Bay particularly during the summer months so that the works would cause minimum disruption to the Catalan Bay Village Community and those using the beach and other amenities in the Village.

SUPPLEMENTARY TO QUESTION NO. 198 OF 1978

HON G T RESTANO

Mr Speaker, the Minister has now changed radically from the assurance he gave to this House earlier this year when he said that work would commence some time after this present bathing season.

HON A W SERFATY

I must have been referring to the demolition, not to the construction of flats there, but that is a matter which, I understand, is being discussed by the Public Works with the Union representatives so I better leave the matter at that.

HON G T RESTANO

For decanting purposes, Mr Speaker?

HON A W SERFATY

For the demolition of the buildings.

HON G T RESTANO

But is the problem not the decanting? I thought I heard the Minister say his problem was decanting.

HON A W SERFATY

No, demolition. We have got to demolish the existing buildings before we can start building the new ones.

HON G T RESTANO

But surely you have got to decant the building if there is anybody living there before you can demolish.

HON A W SERFATY

The demolition will start when the Public Works Department and the Union come to terms.

HON G T RESTANO

What is the problem between the Public Works Department and the Union for the demolition?

HON M K FEATHERSTONE

This is going to be done by a job-price contract and we are negotiating the job-price contract with the Union.

24.10.78

No. 199 of 1978

ORAL

The Hon M Xiberras

Can Government state whether the Hostel at Upper North Gorge has been purchased by it and if so, at what cost and to what purpose Government intends to put the Hostel?

Answer:

The Hon the Minister for Trade and Economic Development

I confirm that Government has purchased the hostel at North Gorge at a cost of £15,000. The intention is to convert it into a transit centre.

SUPPLEMENTARY TO QUESTION NO. 199 OF 1978

HON M XIBERRAS

I do not know what the position is but in fact has this been paid for?

HON A W SERFATY

I believe it has been disbursed.

HON M XIBERRAS

Is the Minister sure it was in the Estimates?

HON A W SERFATY

I am not sure.

HON M XIBERRAS

Is it then Government's intention to convert as early as possible so that it can be used for decanting and transit purposes and when is work due to begin on this?

HON A W SERFATY

I believe negotiations are now taking place between the PWD and the people who sold us the hostel, Taylor Woodrow, for the conversion of that into a transit centre comprising about 40 units. The way is clear, as far as I am aware, for work to get on forthwith as soon as agreement has been reached.

HON M XIBERRAS

I take it that this is approved by the Housing Department as being a suitable place for this purpose?

HON A W SERFATY

As suitable as can be found. It is a good building, it is a bit far from the centre of town but otherwise it is an excellent building.

HON M XIBERRAS

Has the Government purchased the building only, or has it also purchased the land on which the building stands?

HON A W SERFATY

No, Sir, a long lease is being negotiated with the Ministry of Defence on the land.

HON M XIBERRAS

So the Government so far owns the building but not the land?

HON A W SERFATY

We have been promised a long lease by the Ministry of Defence so we have no problems there.

HON J BOSSANO

Could I ask, perhaps the Minister for Labour, if he is satisfied that there is sufficient accommodation for workers from abroad notwithstanding the fact that we have lost a place that used to be used as a hostel, that there is sufficient hostel accommodation available? My information is that there is not.

HON A J CANEPA

It may well be that that is your information. There are certain quarters within Government at the level of officials who say that there is not enough accommodation available. The view that we take in my Department is that there is. What I am not going to have is a hostel at North Gorge and an empty hostel at Devil's Tower and if I do not provide a hostel at North Gorge the people that want accommodation will have to go to Devil's Tower and that I am determined to do.

HON J BOSSANO

Is the Minister then saying that if people are told by officials that there is no accommodation available, I am in a position to advise them that the officials are misinformed and that the Minister makes himself responsible for

the fact that there is accommodation available.

HON A J CANEPA

If they are told by officials who are not in the Department of Labour and Social Security, yes. They do not know what they are talking about or they have no business to be saying that, contrary to the view that we take, but I am determined to fill up the hostel at Devil's Tower. When that hostel is full to capacity - 300 people - then, perhaps, we can say we are beginning to have a problem of accommodation but I am not going to have a hostel with 80 or 90 people.

HON M XIBERRAS

Could this not be used as a start on a policy of vacating Casemates in preference for other areas in the use of labour from abroad?

HON A J CANEPA

Is this the proper place, Mr Speaker, to get involved in a debate on accommodation of labour?

MR SPEAKER

No, I will not allow that.

HON G T RESTANO

May I know what the cost of refurbishing this hostel is going to be?

HON A W SERFATY

In the region of £80,000.

24.10.78

No. 200 of 1978

ORAL

What progress had been made with the proposed redevelopment of the old St Jago's School buildings?

Answer:

The Hon the Minister for Trade and Economic Development

Plans have been prepared to convert the Old Jago's School into Government Offices. Progress on this project has been delayed by the need to find alternative accommodation for the Congregation of Witnesses who are in occupation of part of the top floor. I am hopeful that this matter will be resolved in the near future.

SUPPLEMENTARY TO QUESTION NO. 200 OF 1978

HON P J ISOLA

What Government offices is it proposed to have in this redevelopment, in view of the fact, it seems, that Government is taking accommodation all over the place?

HON A W SERFATY

Education, perhaps, but I am not aware.

24.10.78

No.201 of 1978

ORAL

The Hon Major R J Peliza

Is the Minister for Tourism now able to make a statement of any new policies he intends to pursue in his department in order to overcome the depressed state of the Tourist Industry?

Answer:

The Hon the Minister for Tourism and Postal Services

Yes Sir, I have already given notice that I intend to make a statement later on in the proceedings.

24.10.78

No. 202 of 1978

ORAL

The Hon Major R J Peliza

Does Government have any information as to whether the proposed generalised reduction in fare costs in British Airways European Flights recently announced will apply to the Gibraltar routes?

Answer:

The Hon the Minister for Trade and Economic Development

In my answer to Question No.113 of 26th June on this same subject I informed the House that Gibraltar's inclusion in the new fare structure for European routes was being considered by the airlines. The position today is that the airlines are still discussing the matter and no specific proposals have yet been finalised. British Airways have called my attention to the fact that Gibraltar Airways enjoys a lower individual APEX fare not available to any other points in the Iberian peninsula. I am further informed that the possibility of further reductions for next year are considered unlikely but that all possibilities are still being examined.

SUPPLEMENTARY TO QUESTION NO. 202 OF 1978

HON MAJOR R J PELIZA

Optimistic as the Minister usually is, how hopeful is he in this case of the fares being reduced in accordance with the general reduction that is expected in other areas in Europe?

HON A W SERFATY

In some things I have ceased being an optimist. I am not optimistic on anything concerned with the airlines.

24.10.78

No. 203 of 1978

ORAL

The Hon J Bossano

Can the Minister for Tourism state what reply he has received from British Airways to his representations that unless frequencies by British Airways are increased the Gibraltar Government will press for the Danair Service Flights to be available to all Gibraltarians?

Answer:

The Hon the Minister for Trade and Economic Development

I am afraid that there must have been ^{some} misunderstanding in the course of the supplementaries to Question 116 at the meeting of the 26th June. I never had in mind that the Honourable Member was referring to Dan Air Services flights but to the introduction of additional Dan Air charter flights.

We have been unable to persuade the airlines to schedule extra flights to Gibraltar: However we supported applications by Dan Air and Britannia Airways for blanket charter licences which were approved by the Civil Aviation Authority without restrictions on the number of passengers carried with a nominal accommodation element. This makes low rated seats available to all members of the Community on charter flights in and out of Gibraltar.

SUPPLEMENTARY TO QUESTION NO. 203 OF 1978

HON J BOSSANO

Mr Speaker, in supplementaries to Question No.116 would the Honourable Member not agree that the point that I was making was that there were at the same time as there were British Airways flights leaving Gibraltar fully booked at the same time there were Danair flights leaving with empty seats. Would he not agree that in those circumstances there is a case for saying to British Airways if they are not prepared to increase their capacity then Danair should be allowed to sell those seats to all comers?

HON A W SERFATY

Yes, Sir, it makes sense to a certain extent but this is the answer I have here for that particular supplementary. It makes sense to me that if a plane is flying half empty and people are queueing for seats that they should be able to use the half empty plane but the answer is this: Danair Service flights are chartered by the Ministry of Defence to move their own troops and Service dependents including UK-based civilians and their families. They will not accept other civilians. This does not mean that they would not accept cases of compassionate hardship or

medical evacuation but permission for this would have to be sought by Ministry of Defence Gibraltar from the Secretary of State.

HON J BOSSANO

So the position, as far as the Government is concerned, is that it is not the policy of Danair or not the policy of the Ministry of Defence to allow their Gibraltarian employees to use the flight the same as the UK employees are allowed to use them. Is that the position?

HON A W SERFATY

The position is, I think, quite clear from the supplementary answer that the Ministry of Defence, nothing to do with Danair, they fly and they are paid and that is the end of it, the policy of the Ministry of Defence is to fly only Service personnel and Service families and UK-based civilians.

HON J BOSSANO

So what the Government is saying is that if the Ministry of Defence can be persuaded to change its mind on this matter there is no problem. Gibraltarians would be allowed to go on these flights?

HON A W SERFATY

As far as we are concerned none whatever. We are getting a larger number of charter flights next year, particularly in the summer, and if the civilians can also use half of two Ministry of Defence planes that will be excellent.

HON M XIBERRAS

Has there been any objection from the regular airlines to the possible widening by the Ministry of Defence of the qualification for this particular charter flight?

HON A W SERFATY

As far as I am aware it has not come to that. MOD simply are not interested.

24.10.78

No. 204 of 1978

ORAL

The Hon M Xiberras

Will the Minister for Tourism state what his views and policy are with regard to attendance of Conferences by him in Spain?

Answer:

The Hon the Minister for Tourism and Postal Services

In present circumstances I do not intend to attend Conferences in Spain.

SUPPLEMENTARY TO QUESTION NO. 204 OF 1978

HON M XIBERRAS

Would the Honourable Member clarify a point, namely, that he was quoted as saying that he saw nothing wrong in attending a Conference, and this he said in London, but on his return to Gibraltar he was quoted as saying that he would not be going. Would he clarify the distinction?

HON I ABECASIS

The clarification was made there and then at the time in the Gibraltar Chronicle and I reiterate my position that it is not my intention, under present circumstances, to go to Spain.

24.10.78

No. 205 of 1978

ORAL

The Hon G T Restano

Has Government now made good its admitted deficiency in House Doctors at St Bernard's Hospital?

Answer:

The Hon the Minister for Medical and Health Services

Yes Sir.

SUPPLEMENTARY TO QUESTION NO. 205 OF 1978

HON G T RESTANO

How many House Doctors are there now?

HON A P MONTEGRIFFO

The full complement, three.

24.10.78

No. 206 of 1978

ORAL

The Hon G T Restano

Will Government state whether the Lewis Stagnetto Geriatric Ward is being used?

Answer:

The Hon the Minister for Medical and Health Services

Yes Sir. At the moment it is still being used for decanting in connection with modernisation works.

SUPPLEMENTARY TO QUESTION No. 206 OF 1978

HON G T RESTANO

Can the Minister say why it is that although the Ward was opened as a Geriatric Ward early this year it has still not been used for the purpose for which it was built?

HON A P MONTEGRIFFO

I explained at the time that because we were engaged in a process of modernisation, for the moment the Stagnetto Geriatric Ward would be used for decanting purposes until the modernisation programme is completed.

HON G T RESTANO

That is certainly not the impression the Minister gave when the ward was inaugurated and a statement was read on his behalf. He certainly gave the impression at the time that the ward was being opened for the purpose for which it had been built, namely, a Geriatric Ward. Does the Minister not feel that the way that he phrased his statement at that time was misleading to the public in general?

HON A P MONTEGRIFFO

My upbringing and education and what I have been taught throughout my lifetime teaches me not to mislead anybody. I never misled anybody in that statement. I have said in this House on more than one occasion that the Stagnetto Ward would be used for the moment for decanting purposes in connection with the modernisation work. I will add that the modernisation work will be coming to an end quite soon but we will not be able to open the Geriatric Ward simply because despite the fact that we have done our utmost to recruit, we tried to recruit thirty more nurses, and we were only able to take twelve. We are still eighteen short and it is not only a question of decanting but eventually it will be a question of staffing.

HON G T RESTANO

I can quite appreciate the problem of staffing, Mr Speaker, but certainly when the Ward was opened the Minister said that it gave him great pleasure to inaugurate a new Geriatric Ward. Surely, that gives the impression that that Ward was going to be used as a Geriatric Ward. That is why, in fact, the Chamber of Commerce paid for fourteen geriatric beds. All the pointers were at the time that it was going to be used for a Geriatric Ward there and then.

HON A P MONTEGRIFFO

Of course I was opening a Geriatric Ward, I was not opening a stable for a horse. I have said in this House on more than one occasion that the Geriatric Ward would be used temporarily for decanting purposes.

24.10.78

No. 207 of 1978

The Hon G T Restano

ORAL

Will Government explain why it is that children attending private schools in Gibraltar receive no benefit under the Group Practice Medical Scheme with regard to dental fillings and extractions?

Answer:

The Hon The Minister for Medical and Health Services

There is no provision within the Group Practice Medical Scheme for dental treatment to be given to any school child.

SUPPLEMENTARY TO QUESTION 207 OF 1978

HON G T RESTANO:

Mr Speaker, will the Minister not confirm that if a pupil is attending a Government school there are no charges to be paid on fillings and extractions or far less than the charges made to pupils attending private schools in Gibraltar?

HON A P MONTEGRIFFO:

That is not the way the question was framed. There is no provision within the Group Practice Medical Scheme for dental treatment to be given to any school child at all.

HON G T RESTANO:

Do not the dentists come under the Minister for Medical and Health Services?

MR SPEAKER:

You can ask whether schoolchildren receive any benefit under the Group Practice Medical Scheme.

HON A P MONTEGRIFFO:

No child is entitled to dental treatment under the Group Practice Medical Scheme.

HON G T RESTANO:

I am quite happy to leave this and ask a question at the next meeting of the House, but if the matter can be cleared up now it would avoid going into it all over again at the next meeting of the House.

HON CHIEF MINISTER:

We cannot deal with that in an ad hoc way. This is a matter of policy and statutory duties of the Minister of Education and it should be addressed to him.

MR SPEAKER:

In fairness to Government there is an insinuation in the question that under the Group Practice Medical Scheme certain children attending particular schools are getting benefits which others are not and therefore Government must limit their answer to that. Whether certain children attending school get certain benefits under other legislation, is another matter.

HON M XIBERRAS:

Do the dentists at the Health Centre render any kind of assistance under the Group Practice Medical Scheme to children irrespective of the schools they go to, whether it is private or Government?

HON A P MONTEGRIFFO:

The service given by the dentist at the Health Centre is the scheme which comes under the Education Ordinance over which I have absolutely no control.

HON M XIBERRAS:

Perhaps that is the confusion, that they are housed in the Minister's domain at the Health Centre. Then am I right in saying that a child, outside school hours, who has to be seen to by a dentist in the Government service at the Health Centre will not be discriminated against because he goes to one kind of school or the other? I remember one particular case where it was necessary on a Saturday to establish this point.

HON A P MONTEGRIFFO:

This is again a departure from the original question. All I can tell you is that anybody who belongs to the Group Practice Medical Scheme, and parents pay their contribution, their children or their dependents are entitled to the scheme.

HON M XIBERRAS:

So then irrespective of what school they go to if it is outside school hours and not within the school scheme they should be seen to by the dentist, whether they come from a private school or a Government school?

HON A P MONTEGRIFFO:

All I am saying is that the Group Practice Medical Scheme has nothing to do with what the Education Ordinance provides.

HON CHIEF MINISTER:

On a point of order. There has been a question and it has been properly replied. Members opposite want to get round to get a reply to something that they cannot get from this Minister because this is not his responsibility.

MR SPEAKER:

Then no attempt should be made by the Minister to answer the question. However, if the difficult to stop him in the middle of his answer.

HON M XIBERRAS:

I am asking the Minister, quite outside the educational scheme, if a child irrespective of what school he goes to, a private school or a Government School, requires dental assistance, ie, as an emergency on a Saturday, and he turns up at the Health Centre where the dentists are located, is he entitled to be seen under the Group Practice Medical Scheme.

HON A P MONTEGRIFFO:

There are no dentists available on Saturdays.

HON M XIBERRAS:

Would a child from a private school be entitled to be seen?

HON A P MONTEGRIFFO:

I am not prepared to answer any questions on the private schools which is not my responsibility and which is the responsibility of the Minister of Education.

HON G T RESTANO:

Are the dentists at the Health Centre paid by the Medical and Health Department?

HON A P MONTEGRIFFO:

Yes, Sir.

HON G T RESTANO:

In the case of schoolchildren does the Education Department reimburse the Medical Department for the work that the dentists do under the Education Ordinance?

HON A P MONTEGRIFFO:

No, Sir.

24.10.78

No. 208 of 1978

ORAL

The Hon G T Restano

Is the Minister for Medical and Health Services satisfied that the right procedure was followed for the purpose of filling the vacancy for a doctor, which existed at the Health Centre?

Answer:

The Hon the Minister for Medical and Health Services

It is not my responsibility to select any Member of the Staff. However, I have been informed that, except on one occasion when the Director for Medical and Health Services held interviews in London which turned out to be a failure because most of the applicants due for interview did not turn up, on other occasions Doctors have been selected on the recommendation of the Director for Medical and Health Services to the administration based on the applications received, the curriculum vitae and two references. The last Doctor appointed was one amongst those included in a short-list, was readily available to take up the appointment within a relatively short period and offered himself to be interviewed in Gibraltar at his own expense.

24.10.78

No. 209 of 1978

ORAL

The Hon P J Isola

How much has been spent in rehabilitating the Fish Market and is it correct that it is only used twice a week?

Answer:

The Hon the Minister for Medical and Health Services

The expenditure incurred in putting the Fish Market and the Public Market as a whole in proper order does not come under my responsibility. However I have been told by the Public Works Department that £23,000 are being spent on the Fish Market.

As regards the second part of the question the Fish Market is used practically every day, except Sundays, to a lesser or greater extent.

SUPPLEMENTARY TO QUESTION 209 OF 1978

HON P J ISOLA:

Is it not a fact that people go there to buy just fresh fish and that comes in only twice a week?

HON A P MONTEGRIFFO:

Fresh fish also comes from other sources apart from those two days. Since June till the 20 October, on an average about 5 to 6 stalls out of the ten available have been used, other days when seven stalls have been used, other days six and other days four.

HON M XIBERRAS:

Of course the Minister makes himself responsible for his statement, but could I ask him just in case he is not acquainted with the set-up at the Fish Market, could I ask him to pay personal attention to this in order to establish whether, in fact, the use is as much as he is saying it is. I think he will find it is rather less.

HON A P MONTEGRIFFO:

I have got the statistics and not only did I get it from the top man but I asked the top man to verify it in writing, for my benefit, from the man in the market.

24.10.78

No. 210 of 1978

ORAL

The Hon M Xiberras

Does Government consider it fair and realistic not to allow parking along the whole of Irish Town?

Answer

The Hon The Minister for Housing and Sport

Yes, Sir. The narrowness of Irish Town and the extent of commercial activity there makes this necessary. Additional parking space has been made available at the north end of Irish Town and opposite Ocean Heights.

SUPPLEMENTARY TO QUESTION NO. 210 of 1978

HON M XIBERRAS:

Bearing in mind that it is an important commercial centre, and you have a good number of pedestrians and traffic generally, would the Hon Member not consider it unfair on people who have to unload in that area and stop in that area, that they should not be able to park at least for a limited time?

HON H J ZAMMITT:

There are two factors the the Hon Leader of the Opposition should realise. People are, of course, allowed to unload because there is provision along Irish Town, may I say not the whole of Irish Town because the southern end of Irish Town, i.e., outside the Police Station, is a parking area and north of Parliament Lane. When we talk of Irish Town, I think the Leader of the Opposition is referring to the part of Irish Town between Cloister Ramp and Parliament Lane. Along that stretch of road there are four goods vehicles bays which provide for the loading and unloading of goods. I do not think the police are very unfair when one is loading or unloading even private items for a short period, I think it is tolerated.

HON M XIBERRAS:

On the question of fairness, of course, it is the opinion of the Minister against the opinion of other people but I do remember that there was disagreement about this in the last administration. Could I ask the Minister if he considers it realistic in view of the actual situation day after day in Irish Town?

HON H J ZAMMITT:

I am sure the Hon Leader of the Opposition must be talking with tongue in cheek for he himself has complained of the severity of the police in that area and I speak with very

good knowledge of that area. In fact there are many complaints about the constant presence of policemen in that area clearing up and sticking parking tickets sometimes with less scruple than I would like to see myself, Mr Speaker.

HON M XIBERRAS:

Is it not a fact, and does the Minister who frequents that part of town, would he not agree that cars are parked constantly from Cloister building all the way down to Parliament Lane?

HON H J ZAMMITT:

Mr Speaker, I do not think that I am prepared to say that I agree with that statement at all because in fact I think that if one was to look at the number of parking tickets that the police issue, a very good percentage of those are drawn up from those vehicles parked in Irish Town.

HON M XIBERRAS:

Would he not agree, in view of the fact that he does agree that people park their cars there, there is room for some latitude in that area, in other words, that some of the yellow lines should be discontinued?

HON H J ZAMMITT:

If we put parking tickets, apparently the Hon Member is not satisfied, and if we don't, he is not satisfied either. So you cannot have the cake and eat it. I agree that there would be parking space available at the northern end part between Smith Imossi and Parliament Lane, but although parking can take place it does cause unnecessary obstruction to the businesses in that area. I think, in all fairness, that we have increased the parking bays north of Parliament Lane, that is, parking is allowed on both sides outside Orange Bastion and on the western side of the road and we also have the Ocean Heights area. Despite the fact that I receive parking tickets, I, too, consider it quite fair because sometimes it is sheer laziness not wanting to walk from Ocean Heights 150 yards and there is always space at Ocean Heights.

HON M XIBERRAS:

Does he consider doing away with some of the lines or does he think that they are justified?

HON H J ZAMMITT:

No, Mr Speaker, I do agree that there are some yellow lines that I do not agree with, but not in Irish Town. I think Irish Town must be maintained as it is today.

24.10.78

No. 211 of 1978

ORAL

The Hon M Xiberras

Is the Minister of Sport having problems with the Gibraltar Amateur Swimming Association and if so will he make a statement?

Answer

The Hon The Minister for Housing and Sport

Recently GASA have written a letter to the Hon Chief Minister complaining of my apparent indifference over the building of a swimming pool. I am reporting to the Chief Minister who will be replying to this letter.

SUPPLEMENTARY TO QUESTION NO. 211 OF 1978

HON M XIBERRAS:

Mr Speaker, is the nature of the problem, and apparently there is a problem, the fact that the Minister has said that there is no likelihood of a swimming pool being built?

HON H J ZAMMITT:

I have never ever said, Mr Speaker, in this House or to GASA that there is no likelihood of a swimming pool ever being built.

HON M XIBERRAS:

Not ever, in the immediate future.

HON H J ZAMMITT:

Mr Speaker, I have said in this House, and I have told GASA that as much as this Government and myself in particular would like the construction of a swimming pool, there are priorities within the Government and priorities have to take their place in the queue.

HON M XIBERRAS:

Could I ask the Minister whether it is a fact also that the Minister has stated that because of certain disagreements, it is unlikely that GASA will receive further aid from the Government?

HON H J ZAMMITT:

That is completely false. The Hon Member who is himself involved in sporting activities well knows that to date the

Committee, of which I am Chairman, and not a dictator, has not yet sat to consider any applications other than those to which we have already made provision for, and I can say off-hand that the Rowing Clubs had some money from Government, that was certainly approved by the Committee, the Commonwealth Games Association and the Hockey people.

HON M XIBERRAS:

I am talking about GASA, Mr Speaker, and I am not talking about what the Committee is going to do. I am saying that the problem arises out of the Minister having said that the GASA, as far as he was concerned, would get no more money.

HON H J ZAMMITT:

That is absolutely false, Mr Speaker.

HON M XIBERRAS:

And there is nothing about this in the letter which the Chief Minister is going to reply to?

HON H J ZAMMITT:

Yes, there is, Mr Speaker.

No. 212 of 1978

ORAL

The Hon M Xiberras

Will the Minister for Sport state whether he has consulted Sporting Associations using the Victoria Stadium as to his proposal to levy charges for the use of facilities there?

Answer:

The Hon The Minister for Housing and Sport

To date Sporting Associations have not been consulted individually, but most Associations using the Victoria Stadium facilities have been informed of the proposal through the members of the Sports Advisory Committee who represent the immense majority of Sports practised at the Stadium.

SUPPLEMENTARY TO QUESTION 212 OF 1978

HON M XIBERRAS:

Would the Hon Member, in view of the fact that no consultation has apparently taken place, say whether he has in fact postponed the idea of levying charges at the Victoria Stadium?

HON H J ZAMMITT:

I have in no way postponed my idea of so doing, Sir.

HON M XIBERRAS:

Could the Hon Member give an undertaking that all the Sporting Associations will be consulted before he introduces this Scheme?

HON H J ZAMMITT:

I take it that the Hon the Leader of the Opposition refers to all those Associations making use of the Victoria Stadium? Certainly, Sir.

24.10.78

No. 213 of 1978

ORAL

The Hon P J Isola

Why has the Minister for Housing failed to honour the assurance he gave on Television to the effect that a substantial number of flats which have been available to the Government for over eighteen months would be allocated within four weeks and will the Minister state how many will be allocated directly to applicants on the General Housing List on a points basis?

Answer

The Hon the Minister for Housing and Sport

At the time of the television interview referred to by the Hon Questioner, I was optimistic that within about four weeks Government could go ahead with the allocation of Phase 6 and block 18 of Varyl Begg with the exception of the top floor flats. I gave no assurance.

Some flats require major rehabilitation but the majority need touching up jobs which are now in hand and as soon as these are completed allocations will be made.

It is impossible to give a categorical assurance as to the number of flats to be made available to the general Housing List until the final number of flats which will be habitable is known with exactitude.

SUPPLEMENTARY TO QUESTION NO 213 OF 1978

HON P J ISOLA:

Can the Minister state how long ago it is since he went on television and how is it that he chose the figure of four weeks when it must be now about eight weeks since he spoke and he still does not know?

HON H J ZAMMITT:

The Hon Questioner is quite right. It is now eight weeks ago that I went on television and said that I hoped that they would be ready in four weeks' time. It was, Mr Speaker, at the time when the party in Opposition were asking for an inquiry into Varyl Begg that I was asked to go on television and it was by sheer coincidence that at that time Government had received the report from Andrews, Kent and Stone and we were told that we were able to allocate all floors except the top floor that required particular attention. However, upon examination of these flats by the Public Works Department, it was found that some of them required some form of work and others required less amount of work to be able to allocate and as I said in answer to my question, generally, the matter is now in hand and as soon as this is handed over to us, allocations will be made, Sir.

HON P J ISOLA:

Can the Minister say why it is that a few days' after an Opposition spokesman had been on television on the matter, why did he go and tell people; "We are going to let you have the flats in four weeks' time". What did he base his optimism on? There must have been some basis when even today in this House he is unable to give any dates for allocation. Does he not consider this to be unfair on the public in Gibraltar and a bit of political gimmickry at the time?

HON H J ZAMMITT:

Political gimmickry, Mr Speaker, I will refute completely because it was by sheer coincidence that the Opposition came out about an inquiry, I think it was three days after we had decided what to do with Varyl Begg and it has happened before, Mr Speaker. No, I am sorry I cannot put a date as to when we will allocate. I am hopeful that it will not be too long but I will not commit myself to say two, four or six weeks. I was very hopeful at the time of the television interview that in fact we could hand them over as they stood but there are some flats that require particular attention to and as I say Public Works are now down there doing their utmost.

HON P J ISOLA:

Even if that is the case, a fact which I am sure should have been available to the Minister when he took time off to go on television, does he not think it is extraordinary that eight weeks after saying that he should still not be able to tell the House, or should still not be able to get on with the allocation so that people who are going to get houses know that they are going to get them even though they may have to wait for them. Does he not consider this situation to be quite unsatisfactory and is there any reason or any person or any department to blame for this unsatisfactory situation we find ourselves in today?

HON H J ZAMMITT:

I do not think you can point your finger at any person or any body of persons who are responsible for the delay. I think we are all aware, Mr Speaker, of the problems of Varyl Begg Estate and if not I think we will get to know later in these proceedings, but I think one cannot be accused of one's optimism because in fact having seen those houses myself some time ago I had no reason to suspect at all that there would have been some deterioration possibly as a result of their not having been used, but I can assure this House that I am as optimistic today as I was eight weeks ago on television that it will not take all that long before we allocate Varyl Begg.

HON P J ISOLA:

But I notice, Mr Speaker, that the Minister is very careful not to give a figure. Will the Minister give an assurance in the House that he will not go on television with such optimism in the future? Will the Minister not agree that we are entitled to question if he goes and tells the public in Gibraltar and all the people who are

waiting to get houses that they will be allocated in four weeks and eight weeks later he is not even prepared to set a figure at it.

HON H J ZAMMITT:

I never said that I was going to give people houses in four weeks. I said I hoped that the allocation of Varyl Begg could take place in four weeks which is a different thing.

HON P J ISOLA:

Since the Minister has mentioned that it is Phase VI but I do not think he mentioned exactly what it was in the television programme, he has now mentioned Phase VI and Block 18, could I ask him whether, in fact, the state has been reached were these buildings are in Government hands? Have they been taken over?

HON H J ZAMMITT:

They were not accepted by the Housing Department way back in September 1976, and I am sure the Hon Member will recall this. They were handed over to Public Works Department and it was then that we had the crisis of having them looked at.

HON M XIBERRAS:

So they are still with the Public Works Department?

HON H J ZAMMITT:

Yes, Sir.

HON M XIBERRAS:

And Public Works Department has assumed responsibility for them and that is why they are carrying out the repairs?

HON H J ZAMMITT:

I do not know the intricacies of that.

MR SPEAKER:

That is going beyond the scope of this question. Next question.

24.10.78

No. 214 of 1978

ORAL

The Hon M Xiberras

Will Government state its definitive policy with regard to sitting tenants affected by modernisation of Government Housing or Area Development and will Government say whether such policy has been referred to the Housing Committee for their advice?

Answer:

The Hon The Minister for Housing and Sport

The Government policy with regard to sitting tenants affected by the modernisation of Government housing or area development is that they are offered suitable accommodation, in accordance with their allocation requirement, when it is their turn to be decanted. The tenant can opt to remain in the flat so offered or return to the flat he vacated once the premises have been modernised.

It was not thought necessary to refer the matter to the Housing Allocation Committee.

SUPPLEMENTARY TO QUESTION 214 OF 1978

HON M XIBERRAS:

Would the Minister not consider, however, that the Housing Allocation Committee should in the interests of fairness, have approved this policy?

HON H J ZAMMITT:

No, and I think the Hon Member will accept my explanation as to why not. First and foremost it is Government policy on the question of modernisation. Secondly, it would be extremely difficult at the moment when we have difficulty in being able to get the Housing Allocation Committee together, I think the Hon Member himself yesterday was informed by me of this. In connection with the modernisation programme the Public Works Department can say at very short notice that a particular building is in danger and that people must be decanted very quickly. One cannot, under those circumstances, expect the Allocation Committee to drop everything and sit round a table and start deciding. It is Government policy and we do not consider it necessary to consult them on this particular issue because as far as I am concerned they are not direct allocations, they have a choice to return, it is a question of decanting so that the modernisation programme can get off the ground.

HON M XIBERRAS:

I am not talking about the application of the policy but consultation on the policy. The question of emergency does not arise. Could I ask the Minister whether he does not think, bearing in mind how many houses are allocated under modernisation and how

2.

few by direct allocation, would it not be in the interests of fairness generally, for the Housing Allocation Committee to have a say in the general policy?

HON H J ZAMMITT:

The answer is no.

24.10.78

No. 215 of 1978

ORAL

The Hon M Xiberras

How many meetings has the Housing Allocation Committee and the Housing Advisory Committee held in the last six months?

Answer:

The Hon The Minister for Housing and Sport

Between the period April 1978 to October 1978 the Housing Allocation Committee and the Housing Advisory Committee have each met on four occasions.

SUPPLEMENTARY TO QUESTION 215 OF 1978

HON M XIBERRAS:

Mr Speaker, has this been for lack of business or has it been because of non-availability?

HON H J ZAMMITT:

Mr Speaker, they have been meeting on average once every six weeks. In the case of the Housing Allocation Committee they have been revising the Housing Allocation Scheme for even over the last six months and they have done a very good job. In the case of the Housing Advisory Committee, again it averages out at something like six weeks and that is the time when medical certificates are considered, which is quite normal.

24.10.78

No. 216 of 1978

ORAL

The Hon M Xiberras

How many flats have been allocated by the Housing Allocation Committee in the last six months? A) including and B) excluding flats in the Varyl Begg Estate and will Government further state how many flats have been allocated by the Minister in the same period?

Answer:

The Hon the Minister for Housing and Sport

The Housing Allocation Committee advise the Minister for Housing on the allocation of Government-owned housing in accordance with defined Terms of Reference under the Housing Allocation Scheme. Under the provisions of Clause 16(b) of the Housing Allocation Scheme the Committee may also, at its discretion, "in very exceptional circumstances, refer the case to the Minister for Housing with the recommendation that the applicant should be allocated accommodation." During the period mentioned in the question one such recommendation was made to the Minister and the applicant, a medically categorized case, was allocated suitable accommodation at Varyl Begg Estate.

The Minister took the opportunity of allocating three other flats which had become available at the Varyl Begg Estate to three other applicants on the Medical Category List.

These four apart, the Minister has allocated four flats outside Moorish Castle (ex Army W.O.'s Married Quarters) and transfers/exchanges have been effected at Penney House and in other areas which have resulted in a favourable number of housing applications being cancelled. The vacant flats remaining have been used for decanting of tenants in connection with the Modernisation Programme.

SUPPLEMENTARY TO QUESTION 216 OF 1978

HON M XIBERRAS:

How many flats have been allocated by the Housing Allocation Committee in the last six months? A) Including and B) Excluding? Could the Minister be a bit more specific and answer in terms of the question?

HON H J ZAMMITT:

I think if the Hon Member looks at the answer he will find that the Housing Allocation Committee have made one, by reference to me in a medically categorised case, and the Minister has made seven.

HON M XIBERRAS:

And none at Varyl Begg Estate?

HON H J ZAMMITT:

Yes, Sir, four at Varyl Begg Estate. One at Varyl Begg on the recommendation of the Committee, three others at Varyl Begg on medically categorised cases and four outside the Moorish Castle Estate.

HON M XIBERRAS:

Then the Minister has excluded all flats to do with modernisation?

HON H J ZAMMITT:

Yes, those do not form part of the Housing Allocation Committee's functions.

HON M XIBERRAS:

Could the Minister say how many have been allocated in connection with modernisation either by the Minister or by the Committee?

HON H J ZAMMITT:

That is not part of the question. If the House is prepared to accept without precision otherwise I would require notice of this question. I would not like to guess but I would say that nearly one hundred have been decanted in connection with the modernisation programme.

HON M XIBERRAS:

I thought, Mr Speaker, that that information was quite explicitly sought in the second part of the question which asked "how many flats have been allocated by the Minister in the same period?" Perhaps the Hon Member will let me know in the course of this meeting.

HON H J ZAMMITT:

Yes, I can do that, Mr Speaker, I will try and find out.

HON J BOSSANO:

Can the Minister confirm that when he says that people have been allocated flats in connection with the modernisation programme he is including of course this whole chain reaction of all the people he shifts which eventually finishes up with somebody whose house is going to be modernised.

HON H J ZAMMITT:

That is so, Sir.

HON J BOSSANO:

And is the figure of one hundred including the whole chain or just the originals?

HON H J ZAMMITT:

No, the whole chain, Mr Speaker.

HON M XIBERRAS:

I would be grateful if when the Minister draws up his statistics on this he would include every single flat allocated, not the end result of the project.

HON H J ZAMMITT:

I am sorry, Mr Speaker, but I cannot get my Department to stop everything and do this work.

HON M XIBERRAS:

With all due respect to the Minister I think the purpose of my question was quite explicit and I think this work should have been done in fact before the Minister came to the House. The object of the question was to try to evaluate the Minister's role in the Department in the allocation of houses as opposed to the Housing Allocation Committee and we would like to have fairly accurate statistics.

HON H J ZAMMITT:

I will get my Department to try and work this out straight away.

24.10.78

No. 217 of 1978

The Hon M Xiberras

ORAL

Have all the tenants involved in Phase 2 of the Lime Kiln Steps modernisation now been re-accommodated and if not, will Government give assurance that they will be straight away?

Answer:

The Hon The Minister for Housing and Sport

There are still four tenants from Phase II of the Lime Kiln Steps Modernisation who have not been re-accommodated. Two have not received offers of alternative accommodation but will be receiving them in the near future. One tenant is away from Gibraltar, and the other tenant was made an offer of suitable accommodation but refused it.

SUPPLEMENTARY TO QUESTION NO. 217 OF 1978

HON M XIBERRAS:

So the Hon Member is saying that he can give the assurance which I am seeking?

HON H J ZAMMITT:

Sir, I can give Members the assurance not today but I think it was something like two weeks before the Party in Opposition came out saying we should do this.

24.10.78

No. 218 of 1978

ORAL

The Hon J Bossano

Can the Minister for Housing state on what date he expects the Housing Allocation Committee to commence the allocation of the empty flats at Varyl Begg Estate?

Answer:

The Hon the Minister for Housing and Sport

As explained in answer to Question No. 213, I have high hopes of Government being able to allocate on the recommendations of the Housing Allocation Committee, the remaining vacant flats at Varyl Begg Estate as soon as the necessary repairs are carried out.

SUPPLEMENTARY TO QUESTION NO. 218 OF 1978

HON J BOSSANO:

But the Minister has got no indication of whether this might be six months or a year. Has the investigation that he has mentioned on the part of Public Works given any indication of the magnitude of the task involved?

HON H J ZAMMITT:

I cannot give a date, I can certainly assure the Hon Member and Members opposite it will not be six months and it will certainly not be a year.

HON P J ISOLA:

Will the Minister forgive the House if we do not take those statements as being accurate. Will he forgive us if we do not believe it, it is very difficult, from four weeks to go to six months.

HON H J ZAMMITT:

I have not said it will take six months, Mr Speaker, I have said it will not be six months and it will most certainly not be a year.

24.10.78

No. 219 of 1978

ORAL

The Hon J Bossano

Can the Government state how it is now in a position to make the flats in Phase VI of Varyl Begg available for allocation having allowed them to stand empty for 2 years?

Answer:

The Hon The Minister for Housing and Sport

Government is now in a position to allocate, on the recommendations of the Housing Allocation Committee, the vacant flats in Phase VI and block 18 on the advice of the Consulting Engineers - Andrews Kent and Stone whose final report and recommendations were received in late July.

SUPPLEMENTARY TO QUESTION NO. 219 OF 1978

HON J BOSSANO:

Mr Speaker, can the Hon Minister explain what the consulting engineers have got to do with it? Why was it necessary to have the advice of the consulting engineers in order to decide that the flats could be allocated?

HON H J ZAMMITT:

Mr Speaker, needless to say that Members opposite are aware that there have been a number of problems at the Varyl Begg Estate where we have not been able to find agreement between the consultants and the contractors. Therefore, the last phase of Varyl Begg, Phase VI and Block 18, when not accepted brought about certain problems which have been a matter of a lot of correspondence and negotiations in trying to get down to brass tacks. Government decided some time ago to bring in an independent consultancy firm to look at this and to report back to Government with certain terms of reference. When this was done Government was then advised that we could go ahead with the allocation so that it would not affect the eventual arbitration or litigation.

HON J BOSSANO:

What I cannot understand is how consulting engineers can give better legal advice than the Attorney-General, this is what I am trying to establish.

HON H J ZAMMITT:

The Consulting Engineers have made a number of recommendations as independent consultants and have been able to advise Government as to how to go about it and also what they consider to be the anomalies or faults at Varyl Begg Estate.

HON J BOSSANO:

So, in fact, what the Minister is saying is that if they had decided to engage the consulting engineers eighteen months ago they would then have been able to have made use of those flats because they were not incurring a legal liability as the House has been led to believe meeting after meeting, that making use of those flats would have meant that the Government would prejudice its case. Is that what the Government is saying now, that that was never the case, that the information was inaccurate?

HON H J ZAMMITT:

No, Sir, at the time when we discovered the faults in Phase VI and Block 18 there was hope that both parties, ie, the consultants and the contractors, would be able to get together and remedy the possible faults. Disagreement over this, of course, broke out and therefore we were advised to bring in an independent firm of consultants to look into this.

HON J BOSSANO:

What I am saying, Mr Speaker, is that regardless of who is responsible for putting right the damage, the position as far as the House is concerned until now has been all along that regardless of whoever was responsible if the Government made use of those flats the Government would acquire the responsibility. What the consulting engineers may have done is to indicate to the Government who, in their view, is responsible but the question of the liability, surely, was wrong legal advice. If not, can the Hon Member explain what in the advice of the consulting engineers as to who is responsible for the faults changed the question of the liability acquired by using the flats.

HON CHIEF MINISTER:

The point is that the consultants said that we would not be prejudiced if these flats were allocated in our potential claim against either party. We had not had that advice before from consultants in this respect.

HON J BOSSANO:

Mr Speaker, I think the record of the Hansard will show that when this has been discussed previously we have been told in the House that the advice was not a question of consultants giving advice on the technical factors in the faults but that it was legal advice as to the liability that would be acquired.

HON CHIEF MINISTER:

Both things were going together.

HON J BOSSANO:

Can the Hon Member say how it is that the legal liability is not acquired if one makes use of those flats because that was the main reason given for the flats having to be kept, regrettably, empty.

HON CHIEF MINISTER:

I think the question is that the advice of the consultants made it possible for us to allocate those flats because they felt that they were no longer required for the inquiry into the question of liability and could therefore be given away without prejudice to the right of the Government against either one or the other. We had not had that advice before from anybody.

HON M XIBERRAS:

Am I right in saying, following up on the very relevant questions of the Hon Mr Bossano, that whereas at one time Government could not employ its own workers in the Public Works Department to make these flats shipshape because of the legal advice that they were getting, following the consultants' report the Government has

MR SPEAKER:

Government has not said that today.

HON M XIBERRAS:

I am certain, Mr Speaker, that it has been said that nothing could be done pending the litigation. I am talking about repeated statements that have been made in the House, including one by the Attorney-General and by the Minister of Public Works when he said the Government could do nothing about it because there was a possibility of litigation pending. Could I ask the Hon Chief Minister or the Minister for Housing that if the Government was prevented in its view, from putting in its own workers to put right these flats on the basis of the legal advice that was received, how can it now on the basis of a consultants report put in its own workers to make these flats shipshape and spend Government funds on this?

HON H J ZAMMITT:

I think the Leader of the Opposition has got things confused, Mr Speaker. First and foremost the Public Works Department is not going to go in and remedy the faults. The Public Works Department is going in to the existing flats to rehabilitate them ie as regards painting and patching up jobs. The fact that we are not allocating the top floor, that, of course, is a different issue. The eventual repair of the roofs and other faults at Varyl Begg are a different thing.

MR SPEAKER:

We are now debating the matter and we must not do that, this is question time.

HON M XIBERRAS:

I appreciate that, Mr Speaker, but may I suggest, however, that the question: "Can the Government state how it is now in a position to make the flats of Phase VI of Varyl Begg available for allocation," gives rise to the question which the Hon Mr Bossano just asked and that is why was it unable to do this on the basis of legal advice

MR SPEAKER:

This has been asked about ten times in the last ten minutes and you have been given an answer which perhaps does not satisfy you.

HON M XIBERRAS:

But it does not make sense, Mr Speaker. If we have got to sit here and listen to nonsense then we will, if we have to.

MR SPEAKER:

Next question.

24.10.78

No. 220 of 1978

ORAL

The Hon J Bossano

Has the Minister for Housing now sought the views of the Housing Allocation Committee on how the priority list for the Allocation of Phase VI of Varyl Begg should be drawn up?

Answer:

The Hon The Minister for Housing and Sport

In answer to Question No. 126 from the Hon Mr Bossano at the last meeting of the House, I replied that the Housing Allocation Committee's views had not been sought in the matter of closing the Varyl Begg Allocation List on 30 September 1976, for under normal circumstances this phase should have been allocated then. The actual allocations on that basis will be made by the Housing Allocation Committee. All that has been done is to maintain this position.

The present question is couched in different terms but I feel the Hon Member is posing the same question so the reply to Question No. 126 still applies.

SUPPLEMENTARY TO QUESTION NO. 220 OF 1978

HON J BOSSANO:

Mr Speaker, in answer to the last supplementary the Hon Member said that he would have no problems in seeking the views of the Housing Allocation Committee in this matter. He said this in the last supplementary to Question No. 126 so I am asking him if he has done it.

HON H J ZAMMITT:

No, it has not been done, Sir.

HON J BOSSANO:

Mr Speaker, when does he intend to do it?

HON H J ZAMMITT:

As I said, Mr Speaker, it is not thought necessary that the views of the Housing Allocation Committee should be taken into account in the policy of allocation of houses.

HON J BOSSANO:

But, Mr Speaker, if the Minister said in Question No. 126 that he would have no problem in putting this question to the Housing Allocation Committee and obtaining their views, and if I am asking him to put the question and he has no problem in putting the question, why doesn't he put the question, Mr Speaker, and avoids me putting questions every time on the subject?

HON H J ZAMMITT:

Mr Speaker, I can say that I did see the Chairman of the Housing Allocation Committee about this but I did say that it was Government's intention that the allocation of the remaining phase of Varyl Begg would be as at 30th September, 1976, and there was no specific views from the Chairman on this particular matter, Mr Speaker.

HON J BOSSANO:

But in fact, the Minister accepts that the position is that it is the Housing Allocation Committee that draws up the priority list and advises the Minister and not the other way round.

HON H J ZAMMITT:

Very much so, Sir.

HON J BOSSANO:

Therefore if they decide to draw up that priority list in a different way they will find themselves having to disregard their advice if he has not consulted them on it.

HON H J ZAMMITT

I will instruct the Housing Department to inform the Housing Allocation Committee that a list will be drawn up as on the 30th September, 1976, and that will have to be done that way.

HON J BOSSANO:

If that is the case how can the Hon Member have the brass neck to stand here and say that he is using the Housing Allocation Committee to advise him when he is also saying that he is going to give them a directive as to what they have to do. Surely, Mr Speaker, the Hon Member will admit that in order to have a list drawn up as it was in September 1976 all he has to do is get hold of a Clerical Assistant in his Department, he does not need to convene the Housing Allocation Committee for that.

HON H J ZAMMITT:

Mr Speaker, the Housing Allocation Committee does not decide on policy, they will be given Government's policy that the allocation will have to be on pointage value as at 30th September 1976 and they will decide and recommend to the Minister who they think are the deserving cases under the Housing Allocation Scheme. That is their function, Mr Speaker.

HON J BOSSANO:

It is not a question of deserving cases, it is a question of mathematics. On the basis of the list as it stood on 30 September 1976, certain people had certain points. If the Hon Member is saying that he is going to give a directive to the Housing Allocation Committee that that is the list then in fact the Housing Allocation Committee does not come into it at all, all one needs to do is look at the record and get hold of the list. Is the Minister saying that he or the Government had already decided as a matter of Government policy that that list is going to be used and therefore the views of the Committee do not matter, or is he saying that before a decision is taken he is going to find out whether the Housing Allocation Committee consider that the priorities of 1976 are still valid today or that today there might be people in worse conditions than those who were at the top of the list in 1976.

MR SPEAKER:

You are being asked a very simple question. Is Government going to ask the Housing Allocation Committee whether they agree that the houses should be allocated to people who had a certain number of points on 30 September 1976 and then if the Housing Allocation Committee comes along and says that they do not agree, then Government takes whatever decision they like. That is the question you are being asked.

HON H J ZAMMITT:

Government has decided that the point evaluation for Varyl Begg Estate will be the point evaluation as on 30 September 1976.

HON J BOSSANO:

Therefore, Mr Speaker, the position is that now that we have got a categorical answer from the Minister, the Minister has been avoiding saying all along that regardless of what the Housing Allocation Committee thinks of the matter he is not going to change his mind, therefore there is no point in seeking their views.

HON H J ZAMMITT:

Policy is a matter for the Government, not the the Housing Allocation Committee.

HON J BOSSANO:

I accept that that is the point of the Hon Member but can he say if he has no problem in seeking their views how can he have already made up his mind without having sought their views. Is it the policy of this Government that it decides what it is going to do and then consults people but he tells people that he has consulted: "we are going to consult you but we do not care what you think because we are the Government and we have decided", is that what the Minister is saying, is that the way they approach it?

HON H J ZAMMITT:

Mr Speaker, that is not so. Following upon the last question in the House I went back to Government and Government decided that we would allocate on the point evaluation as at 30th September 1976.

HON M XIBERRAS:

The Minister gave a clear and categorical commitment that he would put it to the Housing Allocation Committee and now he seems to give the impression that he had no intention of doing so, so why bother with any commitments he makes in the House.

HON H J ZAMMITT:

Because there really is no need, Mr Speaker, if Government has decided that we are going to maintain and respect the pointage value as at 30 September 1976, there is no need to seek their views because we have made up our minds that we are going to do this.

HON M XIBERRAS:

But surely, Mr Speaker, the Minister before giving a commitment to Mr Bossano that he would consult the Committee should have said so with the authority of the Government otherwise what is the use of commitments in this House.

MR SPEAKER:

Next question.

24.10.78

No. 221 of 1978

ORAL

The Hon G T Restano

In view of the obvious need for central heating at Mount Alvernia, would Government consider making up the difference still required after the recent Coin Trail?

Answer:

The Hon The Minister for Labour and Social Security

My understanding of the situation is that the central heating system at Mount Alvernia is in need of rehabilitation and /or replacement and that although enquiries are being made, no decision has been taken on what should be done to ensure the most efficient and economic system for the future. Because of this, it is not yet known what the approximate cost of whatever system is decided upon will be, although the Friends of Mount Alvernia have launched an appeal for £3,000 which, though laudable, must be very much an arbitrary figure at this stage as no approach has been made to the Governors nor are we or the Governors aware that any estimates have been obtained. This sum may be totally insufficient for whatever may eventually be decided upon. Let me add that the Board of Governors of the John Mackintosh Home have not yet approached Government with any request for financial assistance for this purpose. I think I should point out that the Government has already made grants totalling £36,000 this year to the Board of Governors of the John Mackintosh Home and that - as the Hon Questioner will have noted- supplementary provision is being sought exceptionally at this meeting for a further £42,000, making a total of £78,000 this year.

SUPPLEMENTARY TO QUESTION 221 OF 1978

HON G T RESTANO:

Mr Speaker, should the Board of Governors decide on a system and approach the Government would the Government consider the application sympathetically?

HON A J CANEPA:

We would consider the application, Mr Speaker, and look at it on its merits.

24.10.78

No.222 of 1978

ORAL

The Hon J Bossano

Can Government give the end of the month unemployment figures for the months of June, July, August and September giving a breakdown by sex and nationality?

Answer

The Hon the Minister for Labour and Social Security

The end-of-the-month figures of persons registered as unemployed either with the Department of Labour and Social Security or the Youth and Careers Office of the Education Department are shown in the table which I am circulating.

Once again, these figures include that hard core of Gibraltarians, about 40, who for different reasons are extremely difficult to place in employment.

SUPPLEMENTARY TO QUESTION NO. 222 OF 1978

HON J BOSSANO:

There is in fact, Mr Speaker, an increase shown in the figures. For example the April figure, the total was 137, the total now in September is 188 and there is a reduction in the number of aliens unemployed and an increase in the Gibraltarians unemployed. Is this in fact a seasonal increase because of the end of the school year?

HON A J CANEPA:

Yes, Sir, the rise occurs in September because young persons who left school at the end of the last term tend to register as unemployed at the end of the school holiday. I think it is seasonal. I know that in the first half of October quite a number of young men have been placed in employment. Amongst the young girls at least half of them or so, the Youth and Careers Officer informs me, are girls seeking employment either as a typist or in a clerical capacity and I anticipate that Government will have quite a few vacancies for these by the end of the year.

24.10.78

No. 223 of 1978

ORAL

The Hon J Bossano

Can Government state the number of new employment permits issued in June, July, August and September giving a breakdown by trade, industry and nationality?

Answer:

The Hon the Minister for Labour and Social Security

The numbers of new employment permits issued by the Director of Labour and Social Security were 40 in June, 33 in July, 59 in August and 46 in September. The breakdown as requested, by trade, industry and nationality, is shown in the list which I am circulating.

24.10.78

No. 224 of 1978

ORAL

The Hon J Bossano

Will Government be printing Factory Ordinance booklets so that these can be made available to Safety Representatives at work?

Answer

The Hon The Minister for Labour and Social Security

Copies of the factories Ordinance and subsidiary legislation are on sale to the public at the Government Secretariat.

Copies of the abstract of the Ordinance which is required by law to be kept posted in every factory, are available, free of charge, from the Department of Labour and Social Security.

SUPPLEMENTARY TO QUESTION NO. 224 OF 1978

HON J BOSSANO:

Will the Minister take steps to ensure that employers and in particular employers in the Dockyard are made aware of the situation because representatives of employees have been told that they are not in print.

HON A J CANEPA:

They are in print. Very many Ordinances it very often happens, are out of print, but I can confirm that this one is definitely available and in fact the abstract of the Ordinance which I think, by and large, is what is really required because that summarises the provisions of the Ordinance in sufficient detail, they are available free of charge. I do not know whether the Hon Member would care, through the proper channels, to bring this to their notice so that the Department can be approached and these will be made available.

24.10.78

No. 225 of 1978

ORAL

The Hon J Bossano

Can the Minister for Labour state whether the review of the position of Senior Citizens not covered by the Social Insurance Scheme has now been completed?

Answer

The Hon The Minister for Labour and Social Security

Mr Speaker, on 12th October I gave you notice of a statement which I propose to make on this matter, later in these proceedings.

24.10.78

No. 226 of 1978

ORAL

The Hon M Xiberras

Has Government received the report of Mr Massey on GBC and will Government make it available to members of the Opposition?

Answer

The Hon The Chief Minister

The Government has received a copy of Mr Massey's staff inspection report on GBC.

As I have stated previously in this House, staff inspection reports are confidential documents which are submitted to Management on a 'need to know' basis and to the Unions or Staff Associations 'for the eyes of the accredited or recognised staff side officials only'. This is in line with UK practice and in the circumstances it would be totally inappropriate to make these reports available to members of the House.

SUPPLEMENTARY TO QUESTION NO. 226 OF 1978

HON M XIBERRAS:

Doesn't the Chief Minister recall, when he was Chairing the Select Committee on GBC, having advice on the various subjects covered by the Massey Report and does he not further recall that there were members of the Opposition present in that Select Committee?

HON CHIEF MINISTER:

The Select Committee is a very different thing. A Select Committee is appointed by the House, very rarely, to investigate and has power to call for papers and so on. That is one thing and an ordinary document in the course of business is another.

HON M XIBERRAS:

Does the Chief Minister not think it reasonable that since the House has to vote eventually on subsidy to GBC and on another vote on cost of conversion to colour, that the recommendations of this gentleman should be known to members of the Opposition?

HON CHIEF MINISTER:

No more than the staff inspection reports in respect of other departments.

HON M XIBERRAS:

That is the Hon Member's logic about the matter. I have represented in the House that we should know about the general considerations of the reorganisation of the Civil Service and so forth. Would the Chief Minister be able to provide a digest of that report without identifying particular members of GBC and could we have an indication of the main recommendations of Mr Massey?

HON CHIEF MINISTER:

I can probably make a statement. The report was received about 8/10 days ago. It has not even been examined yet by the Administrative Secretary. I think it is in the hands of the Establishment Officer who is looking at it. I can certainly make a statement on it in general terms but I cannot commit myself any further.

HON M XIBERRAS:

I would welcome such a statement at the next meeting of the House.

HON CHIEF MINISTER:

No, I said a statement at an appropriate time. For all I know by the next meeting of the House there may be negotiations going and then it would be most inappropriate to make a statement.

HON M XIBERRAS:

Could the Hon and Learned Member say whether his objection is in fact that it might prejudice negotiations rather than the information itself should not be known by members of the Opposition?

HON CHIEF MINISTER:

This is on the basis of the commitment given to Staff Associations that staff inspection reports are only available to accredited representatives of the Union and to Management on a need-to-know basis, and no more.

HON M XIBERRAS:

When does the Chief Minister anticipate that he will be in a position to advance knowledge of this to the House?

HON CHIEF MINISTER:

I have no idea.

HON J BOSSANO:

Can I ask the Hon Member to confirm that in fact this report is not a report on reorganising GBC, it is part of the pay negotiations of the GBC employees which have been no different

from the pay negotiations of any other non-industrial workers throughout the rest of the public service.

HON CHIEF MINISTER:

I have tried to make that clear.

HON M XIBERRAS:

Could the Hon and Learned Member confirm that reorganisation is implicit in the terms of the report?

HON CHIEF MINISTER:

It is a staff inspection report and that is about all.

HON M XIBERRAS:

I am asking the Hon and Learned Chief Minister whether it is not a fact that reorganisation of GBC to some extent is implicit in the terms of the report, e.g., in respect of the News Department, a matter that was treated by the House in discussing the report of Rickard and Sizer.

HON CHIEF MINISTER:

That comes separately. Surely what the report is about is seeking analogues and applying salary scales to different people in different categories, that is all. Whether it covers as intended more people in order to cover points which have been mentioned before and the staff inspection does cover it, is another matter. When it comes, if they say they need two or three more journalists or one or two more directors, that would be part of the inspection report, but it does not mean a re-organisation, it means precisely that, a staff inspection.

24.10.78

No. 227 of 1978

ORAL

The Hon M Xiberras

In view of the strong statement made by the Chief Minister in 1974 with regards to the Lands Memorandum and the handing over of MOD Land to Gibraltar Government, will Government state what areas have been requested and what requests have been met?

Answer

The Hon The Chief Minister

There has been a substantial number of MOD properties relinquished to the Gibraltar Government since April 1974 although in a large number of cases this has only involved a transfer of ownership. This list is quite lengthy but I am prepared to read it out if necessary. A further number of properties have already been offered or are about to be offered. These include the Key and Anchor complex, the PSA Stores at Ragged Staff, a number of married quarters on the Upper Rock, part of PSTO(N)'s compound at the Viaduct reclamation as well as No 5 Jetty and further space at North Mole for stocking of containers.

I can assure the House that pressure has been kept up on the Ministry of Defence who have continued to release lands surplus to requirements as they have arisen as a result of constant consideration given to the services role in Gibraltar. We have also been informed that further relinquishments would be possible in a small number of cases but this would involve reprovision of MOD facilities or buildings actually in use the cost of which the Gibraltar Government would be expected to bear.

We intend to pursue the matter further as we consider the issues involved of great public importance.

SUPPLEMENTARY TO QUESTION NO. 227 OF 1978

HON M XIBERRAS:

Does the Chief Minister's list include, as requested in my question, the properties which had been requested as well as those that the request had been granted.

HON CHIEF MINISTER:

No, I have not taken the question in that way. You can take it that almost all of them have been requested, some of them have been given as a result of the pursuance of the policy. I have not divided it into those that had been requested and those that have been given.

HON M XIBERRAS:

That is not the point of the question, what I would like to know is what properties have been requested by the Gibraltar Government, in the first place, and then how many of those requests have in fact been granted so that we know which ones are in fact under negotiation.

HON CHIEF MINISTER:

My list gives a list of those that have been granted. Then there are three on offer, and to be offered shortly another two. That covers the lot up to now but there is a continuing process in two respects. First of all, in the Development and Planning Commission as development arises the demand is made and I would like to take this opportunity of saying what a great help the new Governor is in this respect and how much he is helping in our being able to get as much MOD land as possible for our requirements but there must be a requirement when we want something which is in occupation and we want the Services to go elsewhere even if it is at the payment of re-provisioning. What we need is the requirement for it and then the matter will be considered. It is no use taking land over that is not going to be used just for the sake of asking for it.

HON M XIBERRAS:

I fully agree with what the Chief Minister said about the Governor but perhaps he would wait for the point of my question. My question is are there any properties which have been requested by the Gibraltar Government and which the MOD has not yet handed over and could a list be provided of the requests as asked for in my question?

HON CHIEF MINISTER:

I will try and get that list outside this list and provide the Hon Member but I say that that list will never be complete because from time to time requirements arise and then the request is made and then the matter is looked at. This is the point and that is why it is never complete.

HON MAJOR R J PELIZA:

Are there any requests at the moment for land which has not been granted?

HON CHIEF MINISTER:

No, except perhaps that there has been a request and the conditions for the granting because of the reprovisioning may not have been readily acceptable, that is a different matter, because if we ask for something which is being used and we have to reprovision, then, of course, we have to take into account the expense of re-provisioning and whether we are ready or not. I am not aware of any case in which an urgent demand has been made for the need of land in respect of our development or anything else that has been denied.

HON MAJOR R J PELIZA:

Could the Chief Minister provide that list of requests that have been made but in fact we have been unable to obtain because of the re-provisioning?

HON CHIEF MINISTER:

I said I would.

24.10.78

No. 228 of 1978

ORAL

The Hon M Xiberras

Following public allegations of Governmental interference with the GBC Radio Programme "A Bit of All Right" does the Chief Minister not consider it his duty to make a statement as to whether there has been any attempted intervention either by Direction to GBC or otherwise?

Answer:

The Hon The Chief Minister

No Sir. There have been, to my knowledge, one signed and 2 anonymous letters questioning the changes in the programme mentioned and alleging Government intervention. A lengthy Press Statement by GBC explained the reasons for the changes and went on to state 'Nor does anyone exercise such censorial powers over GBC'. There has certainly been no attempt at intervention nor any directive to GBC on the matter from the Government.

SUPPLEMENTARY TO QUESTION 228 OF 1978

HON M XIBERRAS:

I am glad to hear that, Mr Speaker, but is the Chief Minister not aware, and he must be, that there are powers of direction by the Governor in Council to GBC and that therefore I must ask the question despite the GBC statement.

MR SPEAKER:

There has been no complaint from Government that the question has been asked. Am I right in making that statement?

HON CHIEF MINISTER:

That is right.

HON M XIBERRAS:

What I am saying is that despite the Chief Minister's answer, GBC has answered for him in effect and say there is power in Directions for the Governor in Council to interfere. It does exist and therefore I am asking the Chief Minister whether this power of direction has in fact been used in respect of this particular programme.

HON CHIEF MINISTER:

Not only has it not been used, it has not been mentioned. I do not think I have mentioned the Directions of powers to the new Chairman of GBC since he came into office so that has never arisen. The Directions are of a general nature and not of a particular nature and in any case no complaint and no interference either within the Directions or outside the Directions has taken place in respect of this matter.

24.10.78

No. 229 of 1978

ORAL

The Hon M Xiberras

Has Council of Ministers completed its consideration of proposals for the declaration of personal interests of Members of this House and in any event is the Chief Minister able, in the course of this Meeting to move the appointment of a Select Committee of the House to consider the matter?

Answer

The Hon The Chief Minister

The Council of Ministers has not yet completed its consideration of the proposals referred to. Additional information has been obtained recently and I hope that it will be possible both to complete our consideration before long and to propose a motion for the appointment of a Select Committee at the next meeting of this House.

SUPPLEMENTARY TO QUESTION NO. 229 OF 1978

HON M XIBERRAS:

Would the Chief Minister not agree that to leave it beyond the next meeting of the House might land us in a situation where the work is in fact done for the Select Committee in advance? I ask that question, Mr Speaker, in the knowledge that certain information has been asked for.

MR SPEAKER:

Will you say what the information is.

HON M XIBERRAS:

Yes, I know that the Chief Minister has had letters written to various people in England asking about information for this.

HON CHIEF MINISTER:

I have not done anything of the kind.

HON M XIBERRAS:

You have had it done.

HON CHIEF MINISTER:

No, I have not had it done. We have obtained material recently through the Clerk of the House, I understand, entirely independently which has come in very handy because it is much simpler than the rather voluminous report which

had been originally received. We now have the information whereas before we had the very long blue book which was circulated at the time.

HON M XIBERRAS:

What I am suggesting, Mr Speaker, is that even though that might prove helpful that it is for the Select Committee to seek its information.

HON CHIEF MINISTER:

When the Select Committee meets they will find that a very active Clerk of the House has already obtained the information for it.

HON M XIBERRAS:

I am sure that the Clerk of the House, as the Chief Minister would agree, can show his activity and his ability for the Select Committee as well as for anybody else. Therefore, I would urge the Chief Minister to keep to his indicated date of the next meeting of the House.

HON CHIEF MINISTER:

I will try.

HON J BOSSANO:

Mr Speaker, would the Government not agree that the need for a Select Committee would arise out of the complexity or the requirement for a more detailed study of what needs to be done. Surely, the experience we have had in the House, certainly in the last House of Assembly, with Select Committees was that they sat for four years. We do not want to repeat that sort of exercise.

HON CHIEF MINISTER:

I think the Hon Questioner has had a rather bad experience with the Trade Licensing Committee but I have known of other Select Committees who have only needed two or three meetings, if members have attended when summoned, to report, and in any case the matter is of sufficient importance, even though not perhaps complex, to warrant the report of a Select Committee before taking any final decision.

24.10.78

No. 230 of 1978

ORAL

The Hon M Xiberras

Since the representations of the Members of this House and representative bodies have been sent to the Secretary of State on the subject of UK Citizenship will the Chief Minister set a date for a Meeting of the representative bodies on the future of Gibraltar?

Answer:

The Hon The Chief Minister

I informed the Hon Leader of the Opposition on the 16 October that a meeting of the Committee of Representative Bodies would be held in a month's time. A meeting will be called for the 14 November and the papers for discussion will be circulated shortly.

24.10.78

No. 231 of 1978

ORAL

The Hon G T Restano

Now that an Earth Station is to be set up in Gibraltar has Government investigated the possibility of utilising some of the extra lines available for the purpose of receiving Eurovision Programmes directly?

Answer

The Hon The Chief Minister

No Sir.

SUPPLEMENTARY TO QUESTION NO. 231 OF 1978

HON G T RESTANO:

Will the Government undertake to investigate the matter, Mr Speaker?

HON CHIEF MINISTER:

We have and from what we have investigated, I have said no. In 1975 the cost of annual subscription to the European Broadcasting Union which is a pre-requisite for obtaining programmes through Eurovision was £2,800 for 5,500 television receivers. This figure would now be in the order of £4,000. Television signals could be obtained by two means, that is, terrestrial and satellite. In 1975 the estimated cost of terrestrial link was in the order of £6,500 annually and £28,000 capital cost, guesstimate £9,800 and £42,000 for 1978. These figures did not include payments of rights and royalties to the originating station. Cost incurred by other countries for allowing the signal through their territories would also have to be added. The use of an earth satellite in 1975 was not possible. It is understood from Cable and Wireless that they intend to provide conversion equipment with the proposed earth station to enable the subscriber, GBC, if they can get the money to obtain TV signals and sound from the Intelsat 48 satellite on stationary orbit over the central atlantic. The equipment provided would be in addition of whatever telex or telephone circuits the earth station would consist of. The TV equipment would, of course, be available for hire. It would be technically feasible for GBC to connect to the earth station but there is no indication of cost. In addition to this cost, Receiving TV signals via Eurovision would entail costs of performers' rights, etc, cost of conveying signals from the originating station to the satellite station, cost of actual satellite time and cost of transmitting signals from satellite to earth stations. It is therefore very difficult to quote a figure for the overall cost and the Government would rather like to see colour television fully in operation in its proper quarters and all the bills paid and then think about Eurovision. We will have a

taste of this because GBC understand from Cable and Wireless that whenever an earth station is inaugurated it is customary for a television transmission of about fifteen minutes' duration to take place free of charge.

24.10.78

No. 232 of 1978

ORAL

The Hon J Bossano

Can Government state whether the salaries of members of the Gibraltar Regiment are being reviewed to bring them into line with parity with UK?

Answer

The Hon The Chief Minister

Gibraltar Regiment pay is under review. The application of parity with UK pay by the Official Employers is of course a factor being taken into account by the Ministry of Defence.

SUPPLEMENTARY TO QUESTION NO. 232 OF 1978

HON J BOSSANO:

When the Hon and Learned Member says that it is of course being taken into account would he expand on that saying in what way is it being taken into account but is different from the way that it is being taken into account for everybody else?

HON CHIEF MINISTER:

I have expressed my views on this to His Excellency the Governor and the matter is not one of negotiation. Normally there is the visit of a Pay Review Team and, as the Hon Member well knows, members of the Forces are not yet allowed to be members of a trade union and the point is that they are anxiously awaiting the result of the pay review but to my knowledge it has not yet arrived.

HON M XIBERRAS:

Since I wrote to the Chief Minister on this matter, it must have been something like six weeks' ago, have there been any developments at all worth mentioning?

HON CHIEF MINISTER:

No, I do not think so. There has been mention and speculation but certainly there has been no development of any kind that one can say.

HON M XIBERRAS:

Does the Hon and Learned Chief Minister consider the progress satisfactory?

HON CHIEF MINISTER:

I cannot say whether it is satisfactory or not satisfactory, really.

HON M XIBERRAS:

Mr Speaker, would the Hon Member, even bearing in mind the considerations some of which are known to me, agree that it would be a very bad day for the Gibraltar Regiment if they were treated less favourably than the T. & V. R. installations in the United Kingdom??

HON CHIEF MINISTER:

I share that view but that is a matter which must await developments.

HON J BOSSANO:

Could I ask the Hon and Learned Member in respect of the 1977 and 1976 stages of the review which the public sector introduced the rates of 85% and 90% of UK rates, what happened in the case of the Gibraltar Regiment? Were the same percentages applied?

HON CHIEF MINISTER:

No, my understanding of the position is that it was an interim review that was paid in 1977 and the review is coming now.

24.10.78

No. 233 of 1978

ORAL

The Hon J Bossano

Can Government state the number of new employment permits issued in June, July, August and September giving a breakdown by trade, industry and nationality?

Answer:

The Hon the Minister for Labour and Social Security

The numbers of new employment permits issued by the Director of Labour and Social Security were 40 in June, 33 in July, 59 in August and 46 in September. The breakdown as requested, by trade, industry and nationality, is shown in the list which I am circulating.