

HOUSE OF ASSEMBLY  
CEREMONIAL OPENING  
HANSARD  
OF MEETING  
HELD ON  
THURSDAY 28th FEBRUARY 1980

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REPORT OF THE PROCEEDINGS OF THE HOUSE OF ASSEMBLY

The First Meeting of the First Session of the Fourth House of Assembly held in the House of Assembly Chamber on Thursday the 28th February, 1980, at 11.00 am.

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PRESENT:

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

GOVERNMENT:

The Hon Sir Joshua Hassan CBE, MVO, QC, JP - Chief Minister  
The Hon A J Canepa - Minister for Economic Development, Trade and Labour and Social Security  
The Hon M K Featherstone - Minister for Public Works  
The Hon I Abecasis - Minister for Tourism and Postal Services  
The Hon H J Zammitt - Minister for Housing and Sport  
The Hon Major F J Dellipiani ED - Minister for Education  
The Hon Dr R G Valarino - Minister for Municipal Services  
The Hon J B Perez - Minister for Medical and Health Services  
The Hon D Hull - Attorney-General  
The Hon R J Wallace CMG, OBE - Financial and Development Secretary

OPPOSITION:

The Hon P J Isola OBE - Leader of the Opposition  
The Hon G T Restano  
The Hon Major R J Peliza  
The Hon W T Scott  
The Hon A T Loddo  
The Hon A J Haynes

The Hon J Bossano

IN ATTENDANCE:

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

ADMINISTRATION OF OATH OF ALLEGIANCE

The Speaker took the Oath of Allegiance and administered the Oath to the Hon Sir Joshua Hassan, the Hon A J Canepa, the Hon M K Featherstone, the Hon I Abecasis, the Hon H J Zammitt, the Hon Major F J Dellipiani, the Hon Dr R G Valarino, the Hon B Perez, the Hon D Hull, the Hon R J Wallace, the Hon P J Isola, the Hon J J Bossano, the Hon Major R J Peliza, the Hon G T Restano, the Hon W T Scott, the Hon A T Loddo and the Hon A J Haynes.

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

HON CHIEF MINISTER:

Mr Speaker, it is once again my duty and pleasure to remind you that, under Section 26(1) of the Constitution, 'The Speaker of the Assembly shall be appointed by the Governor, acting after consultation with the Chief Minister and with the Leader of the Opposition (if any).' Subsection 3 says:

'A person shall vacate the office of Speaker -

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

The consultations referred to in the Constitution have duly taken place and you have once again been appointed by His Excellency the Governor as Speaker of this Assembly. It remains for this House to confirm this appointment by resolution. It is now my pleasure to move that, pursuant to the provisions of Section 26 of the Constitution of Gibraltar, this House confirms the appointment of the Hon Alfred J Vasquez as Speaker of the Gibraltar House of Assembly.

Mr Speaker, you have served in that distinguished and honourable office for eleven years. We look forward, if this motion is passed, as I believe it will, to another four years of your guidance in the conduct of the affairs of this House. This is almost an entirely formal occasion but I am sure you would not object to my making a reference to the need to consolidate and bring up-to-date the Standing Orders of this House, a matter which we have discussed from time to time in the past and which I have no doubt will, once settled, facilitate the sensible, democratic and expeditious despatch of the business of the House to the greater satisfaction of the Government, the Opposition and, not least, you, Mr Speaker.

I commend the motion to the House.

HON P J ISOLA:

Mr Speaker, this is a Government motion that I have no hesitation in supporting and we are delighted on this side of the House that you have agreed to serve as Speaker of the House for the next four years. We look forward very much to the future sittings of this House under your experience and expert guidance. I don't think we will quarrel very much with the Chair, we have not done so in the past and we hope that the times and the occasions on which you have to call us to order will be minimal. Mr Speaker, I have great pleasure in supporting the motion of the Chief Minister.

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

MR SPEAKER:

Gentlemen, Hon Members, once again I have to thank the House for the confidence and trust that you have placed in me.

I would like to say that I am very aware of the fact that the authority which is vested in me, I exercise in accordance with the interests and wishes of the House.

Thus in regulating the course of debate, in calling on Members to speak, in ensuring that the established conventions of debate are observed, and in utilizing the powers conferred on me by usage and the Standing Orders I am always very conscious that I am implementing and interpreting the will of the House.

I will endeavour to continue to do this in accordance with the established conventions and traditions of this House.

As Hon Members well know I, too, am very conscious of the need to up-date our Standing Orders and it is a matter to which I shall address myself at the earliest possible opportunity.

Finally, I would like to express my deep appreciation and thanks to all Members for confirming my fourth term as Speaker of the Gibraltar House of Assembly.

Thank you all very much indeed.

ADDRESS BY HIS EXCELLENCY THE GOVERNOR, GENERAL SIR WILLIAM JACKSON, GBE, KCB, MC.

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HIS EXCELLENCY THE GOVERNOR:

Mr Speaker, Honourable Members of the Fourth House of Assembly.

It gives me great pleasure to be present at the opening of this, the first new session of the House of Assembly since I became Governor of Gibraltar and to outline to this House the policy of Her Majesty's Government regarding Gibraltar and the programme and policies of the new Government of Gibraltar.

Her Majesty's Government in the United Kingdom and the Government of Gibraltar continue to attach great importance to the improvement of relations with Spain on the issue of Gibraltar, and notably on the restrictions which are still in force against communications between Gibraltar and the neighbouring parts of Spain.

It is to be hoped that the coming year will see real progress. In their approach to this issue, Her Majesty's Government will continue to take full account of the views of the people of Gibraltar.

Her Majesty's Government reaffirm their pledge to respect the wishes of the people of Gibraltar in accordance with the assurances contained in the Gibraltar Constitution Order 1969 that

"Gibraltar will remain part of Her Majesty's dominions unless and until an Act of Parliament otherwise provides, and furthermore that Her Majesty's Government will never enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another state against their freely and democratically expressed wishes."

The Government of Gibraltar has under consideration and will be pursuing with the United Kingdom Government the question of the holdings and use of Crown lands in Gibraltar.

In the defined domestic field, Ministers have established priorities to be followed in the execution of their legislative programme and policies.

One of the main priorities will be the construction of housing, both in the immediate future and as a matter of longer term policy.

The Government also attach high importance to a healthy and buoyant economy, as the foundation both of private prosperity and of a public expenditure programme to meet Gibraltar's needs. Economic Development policies and their physical implementation will therefore receive special and urgent attention, as well as such other areas, as the further development of the Port, Airport and Tourism, which are of importance to the economy.

Measures are already being taken towards the achievement of significant improvements in the electricity and telephone services.

In the social field, Ministers will continue to ensure the provisions of an efficient and humane medical service and the further development of fair and progressive social security policies. Education, youth activities and sport will continue to command the special interest of Ministers.

The administration of public funds will receive the closest attention of Ministers. The aims will be to ensure that essential policy priorities are adequately provided for, to eliminate waste and unnecessary spending, to examine most carefully requests for additional expenditure and to improve the general level of productivity.

Mr Speaker, Honourable Members, I declare this first session of the Fourth House of Assembly open. I wish you all well in your endeavours during the coming session for the happiness and the prosperity of the people of Gibraltar, and I pray for God's blessing and guidance on your deliberations.

HON CHIEF MINISTER:

Your Excellency,

Once more the electorate has decided that the responsibility for conducting the internal affairs of Gibraltar and for representing its wishes on other matters should fall on my Party. The Ministers whom you have appointed will do everything in their power to discharge these responsibilities. They will at all times pursue and defend the wishes, rights and interests of the people of Gibraltar as a whole and, in carrying out their individual Ministerial tasks, ensure that the affairs of the City are conducted in a responsible and efficient manner. We have noted and welcomed Your Excellency's reaffirmation of Her Majesty's Government's pledges to the people of Gibraltar.

As the Government, it is for us to provide the leadership, to take the decisions and to bear the responsibility. We nevertheless look to the Opposition, to public bodies, to the civil service, to the trade unions and, indeed, to the people as a whole, to play their part, each in their own role, in the important task of working constructively for the common good of our society.

Your Excellency has outlined the main areas to which, in our view, our energies and resources should be primarily devoted. Foremost among these will be housing. The main element in the last Development Programme was education. Before that, it was housing, and it is to that problem that we will now once again attach the highest priority. Everything possible will continue to be done to expedite the solution of the problems at Varyl Begg Estate. In late January, the Government considered and accepted in principle specific proposals for the construction of pitched roofs at the Estate and steps are now being taken for the implementation of these proposals and they are proceeding substantially in accordance with the timetable envisaged by the Government. At this stage, it is expected that work at the Estate will commence in the spring. The Government is also taking necessary steps to deal with the other matters requiring attention at this Estate, and it is confident that substantial progress be made towards a comprehensive resolution of this difficult matter during the coming months.

Within the coming financial year we hope to finalise the construction of 66 units and to commence work on a further 150 units for completion by 1982. We propose to make the construction of further new housing one of the main issues in our proposals for the next Development Programme. The bulk of social unhappiness in Gibraltar derives from inadequate housing and we are confident that the Government will receive general support for its decision to make further substantial inroads into this problem.

At the same time the method of allocation of Government housing is being reviewed by the Minister responsible and proposals will shortly be submitted to Council of Ministers for their consideration.

It is our intention to give added impetus to our efforts on economic development. Ministerial responsibility for this matter has been assigned to my colleague the Hon A J Canepa, who normally deputises for me in my absence and whose appointment as Minister for Economic Development reflects the importance which is attached to this department. A great deal of preparatory work is, of course, necessary between the allocation of funds for a Development Programme and the actual commencement of work on the approved projects. The point of maximum effect is now being reached, especially in relation to the Girls' Comprehensive School, the reclamation between Nos. 2 and 3 Jetties and the housing schemes at St Joseph's and St Jago's. As already announced, the Minister for Public Works has been charged with specific responsibility for overseeing the execution of the Development Programme. The expansion of tourism is, of course, closely related to the economy and will also be actively pursued.

The improvement and development of the municipal services is a third area to which special attention will be paid. At the end of last year a representative of the Consultants visited Gibraltar to discuss the various options on the short and long term development of the Electricity Department. The Consultants have since reported that it is still possible to have new plant in service, which will also of course be part of the long term development, by the winter of 1981/82. The Council of Ministers agreed, at its first meeting after the elections, that the consultants should now be formally appointed to carry out the design and prepare specifications in order to invite tenders and place an order within the time scale originally envisaged. The Consultants will visit Gibraltar next week. The introduction of International Subscriber Dialling was approved in principle in 1979. British Post Office Consultants have already visited Gibraltar and their report is expected in March. Quotations will then be sought and it is hoped that a firm order will be placed in September. The Government believes that the establishment of Consultative Councils in the Electricity and Telephone Departments has been a step in the right direction. The discussion of departmental problems by management and the staff side cannot but be conducive to greater efficiency in the service provided to the public.

My Party has always recognised the importance of education and youth activities generally, including sport. Gibraltar's future depends on our young people and we will continue to improve facilities and devote particular attention to continuing provision for University and further education. I have taken up with the British Government the question of increased tuition fees at Universities and other places of education.

We attach no less importance to the Medical and Health Services and to Social Security. Our past record on these cannot be challenged. We will continue to pursue progressive policies to ensure that the needs of the sick, the aged and the less fortunate in the community are adequately and properly catered for.

The maintenance of good industrial relations will continue to be our concern. Recent times have shown how, through a full understanding of each other's point of view, and through the growth of mutual confidence, that it is possible for the Government as an employer and for the Unions representing its employees to arrive at peaceful compromise and solutions. This is to the credit of all concerned and to the benefit of the public. The Government will at all times be ready to consider and discuss with Union representations in the spirit which has now been established after some years of serious difficulty.

The priorities that we have set ourselves out will be maintained because we consider them to be essential to the well-being of the community. They will be the primary and overriding guidelines for the allocation of Gibraltar's financial resources. The effects of inflation and the annual increases in salaries and wages, over which, for as long as parity continues, we have no control, are two major constraints on public spending.

It would be foolish to ignore the fact that, in common with many other Governments in the world today, we face a difficult financial future and must cut our costs accordingly. The Expenditure Committee which was established last year will continue its detailed examination of departmental expenditure with the twofold object of eliminating waste where it exists and reducing costs where possible. Individual Ministers will also bear very much in mind the need for departmental economy. In addition to this, it will be necessary to examine most rigorously the numerous claims and demands for the expenditure of public money which will no doubt come before the Government for consideration. If additional services are desired, they can only be paid for through taxation, which all of us want as far as possible to avoid.

I have talked of public money rather than of Government funds because it is not always sufficiently appreciated that the Government is only the authority or agency entrusted by the electorate with the wisest and fairest administration of the money which the public itself makes available through taxes. If more has to be spent, then more has to be provided.

It would be wrong too not to refer, in this context, to the question of productivity in all areas and at all levels of Government employment. The economic provision of efficient services to the public depends on the thorough and effective performance of work in return for pay. I have specifically reminded Ministers of the need for special attention to be given to this and the message has been communicated to Heads of Department. This is not to be taken as a criticism of the many areas of Government work in which dedication to duty produces the results we all want and to which I have publicly given credit in the past. It is nonetheless true that, unless this happens throughout the whole of the public service, the effective execution of plans, policies and programmes will be frustrated to the cost of the public.



Your Excellency, I have covered, necessarily in a general way, the main issues which were dealt with in our party manifesto and which now face us in the Government.

It is my belief that, in Gibraltar, in the circumstances in which we live today, there can be little real disagreement with the policies I have described on the main issues of importance to the electorate - housing, economic development, municipal services. If I am right, then I would see the role of Members on the other side of the House as a constructive one, furthering the execution of those policies in the interests of the public and making a more valuable personal and collective contribution through a closer involvement in the administration of our affairs. This could be done through a system of mixed Committees and would be done without any surrender of any of the rights or duties of the Opposition to criticise the Government publicly in this House on all matters, including those dealt with in the Committees. Such criticism would indeed be stronger and more valuable because better informed.

This is not an occasion for details. I said immediately after the elections that, at some stage in the future, I would be suggesting the renewal of consultations on a committee system of Government if this were to be generally acceptable. I made a similar offer at the opening of the last House of Assembly in 1976 and I shall be approaching the Leader of the Opposition and the Hon J Bossano accordingly in due course. I am encouraged somewhat by the favourable comment which has recently appeared in the Press and I hope that my reference to this subject this morning will lead to further public discussion and expression of views.

Your Excellency, in ending my address, I wish to express a very special tribute to two former Members of this House, Mr Abraham Serfaty and Mr Aurelio Montegriffo, who over a very long period of years have given unreservedly of their time and effort for the good of Gibraltar and its people. Their intimate knowledge of our affairs, the wisdom of their advice and their exceptional standard of public service will be greatly missed. I wish also to express our appreciation of the work and dedication of another former Member, Mr Maurice Xiberras, His contribution to public life in Gibraltar is well-known and it is fitting that our appreciation should be mentioned on this occasion.

I should like also to extend a sincere word of welcome to the new Members of the House, the Hon W T Scott, the Hon A T Loddó and the Hon A J Haynes. I look forward to their contributions to our proceedings and to the establishment of the personal relationships as colleagues which, in spite of political differences, have by and large been a feature of membership of this House.

Your Excellency, the electorate's response to our candidature and to our manifesto gives us a renewed confidence and a fresh enthusiasm in our work. Our sole motive and concern are the good of the community and it is towards this end that we shall carry out our duties. Thank you.

HON P J ISOLA:

Your Excellency, Mr Speaker, Honourable Members. It is indeed a privilege for me to address Your Excellency as Leader of the Opposition and as Leader of a Party that has made significant progress since its birth in 1978 and which by reason of the electoral support that it received in the General Election can now clearly and legitimately claim to be the real alternative to the Party in power.

I welcome the reaffirmation by Your Excellency on behalf of Her Majesty's Government of their pledge to respect the wishes of the people of Gibraltar in accordance with the assurances contained in the Gibraltar Constitution Order of 1969 given as it has been on this solemn occasion of the formal Opening of the new House of Assembly that will guide the destinies of Gibraltar for the next four years.

Your Excellency can rest assured that in matters relating to the future of Gibraltar and its international status I shall continue to advise Your Excellency and the British Government on the views of my Party and indeed I would hope the people of Gibraltar with the same traditional sense of responsibility that has characterised the bi-partisan approach to foreign affairs that has now become a constitutional tradition among the elected Members of the House.

There is no reason in my mind why the Members of this House of all shades and opinion should not have a united front on matters relating to the future of Gibraltar and its foreign affairs and certainly I will do everything in my power to ensure that this bi-partisan approach continues and that all Members of the House are united in this matter which is so fundamental to the security and future of our people.

In the field of domestic affairs I am afraid I can give no such assurances.

We are pleased to hear that a main priority for the Government will be the construction of new housing. Unfortunately the record of the last Government on this was not something to congratulate them upon and I am glad to see that the campaign of my Party on this all-important issue has had its impact and is reflected in the new Government policy. I hope however that aims of policy will be speedily translated into action and that the Government will seek to build many more houses than those it promised in their electoral manifesto if those on the housing waiting list are to be given any hope of reaccommodation in the foreseeable future.

We attach great importance to the method of allocation of housing and to the need for information to be given to housing applicants as to their position in the waiting list. We will press the Government for assurances that housing will be the subject of allocation by a Housing Allocation Committee in accordance with defined principles of allocation.

We are pleased that the governing party have taken due note of the electoral warnings given to them and that we shall see significant improvements in the Electricity and Telephone Services.

Although we must continue to remain dubious about promises made by the Gibraltar Government in view of their past record we nevertheless sincerely hope that they will be able to achieve what they have set themselves to achieve speedily. I think that as a sign of their good faith the Government might now be prepared to make available to the Opposition the report and recommendations of Messrs Preece, Cardew and Rider on the future development of power generation in Gibraltar. This would enable the Opposition perhaps to take a more knowledgeable and constructive approach to this subject.

The Government no longer have available to them the excuse for non-publication of possible electoral embarrassment.

Generally speaking, Your Excellency, we are pleased to note that due weight appears to have been given by the Government to the matters in respect to which my party campaigned so vigorously during the election campaign.

However from the Opposition benches we will press the Government to implement the measures which we advocated in our election manifesto and which we feel ought to be implemented by whichever Government is in power. For example, we will press the Government to re-examine the Social Insurance insofar as this has had sad consequences for a small number of old age pensioners and we will also propose that the Elderly Persons' Pensions should be received tax free.

We will also ask Government to subsidise effectively television licences, telephone rentals, electricity and water for old age pensioners living on their own. We are sure that the rest of the community would gladly agree to contribute to such subsidisation for support and help of our elder citizens.

We will also urge the Government to make a complete re-appraisal of the role of the Public Works Department in our community. This is by far the largest and highest spending of all Government Departments and yet it does not seem to be able to cope with the role that has been assigned to it. There is indeed a need, in our view, for an in-depth study of this Department.

During the election campaign we were amazed at the general lack of knowledge among the public of the work of this House. We believe that it is in the interest of the community as a whole that the public should have ready access to the meetings of this House and consideration should be given to the meetings of this House being held in the afternoons and evenings so as to enable members of the public who would like to attend. We also believe that serious consideration should be given to the question of broadcasting proceedings of this House and that there are many ways we believe, in which this could be done in order to capture the interest of the public on what goes on within these walls.

I believe that all Honourable Members will agree that a well informed public on the affairs of their community is the best guarantee to sound and stable democratic Government. I hope the Honourable Members on the other side of the House will agree that there is a need for a wider dissemination of the proceedings of this House if the public are to respect and support our democratic institutions.

In our manifesto we stated that we considered it shameful that in a democracy such as Gibraltar with so many people working for the United Kingdom Departments and the Gibraltar Government that there should not be a more enlightened approach to the range of United Kingdom Departments and Gibraltar Government employees who could stand for Election.

We propose to take the unusual step of seeking the leave of the House to introduce amending legislation to the House of Assembly (Public Offices) Ordinance 1976 which will have two main objects. The first will be to make it possible for any person working for a department of the Government of the United Kingdom who is not in a grade or a post which can properly be described as front-line management to stand for Election to the House of Assembly. It has been said to me by persons in reasonably high office in the United Kingdom Departments that they see no objections to persons not in front-line management standing for Election.

The second principal object that our Bill will have will be to put into effect the spirit of the decision taken on this subject in the Constitutional Conference of 1968. As a person who was present and took part in that Conference I can say that the clear intention was that the Elected Members of the House of Assembly should decide for themselves who should or should not be able to stand for Election from the public service. We will accordingly propose amendments to the second schedule to the House of Assembly (Public Offices) Ordinance to widen the classes of persons who will not be disqualified for standing for Election and to include in that schedule persons in non-industrial employment in the Government of Gibraltar pursuant to resolutions to be passed by the House. In this way we would hope to make progress well before the next General Election in this all important matter so relevant to true democracy in any community.

We trust that by bringing the debate of eligibility into the House of Assembly itself rather than in other Councils we can make substantial progress.

Your Excellency, as an Opposition we will be constructive and in this connection I would express the hope that the Honourable Mr Joe Bossano will feel able to accept the invitation which I have extended to him to sit in one or two of the Committees of this House in which the Opposition in its own right has places.

Your Excellency, we will fulfil our role of Opposition in a manner that we feel meets both with the wishes and aspirations of those who elected us but always bearing in mind the interests of the people of Gibraltar as a whole. We will not hesitate to criticise where criticism is merited and we will of course praise on those few occasions in which praise may well be merited. We do regard ourselves as the alternative Government and we hope during the course of the next four years to convince and persuade the people of Gibraltar that our Party should and must be returned to Office. Thank you.

ADJOURNMENT:

The House then adjourned.