

GIBRALTAR

HOUSE OF ASSEMBLY



HANSARD

17 December 1981

REPORT OF THE PROCEEDINGS OF THE HOUSE OF ASSEMBLY

The Ninth Meeting of the First Session of the Fourth House of Assembly held in the Assembly Chamber on Thursday the 17th December, 1981, at the hour of 10.30 o'clock in the forenoon.

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 and Trade
The Hon M K Featherstone - Minister for Public Works
The Hon I Abecasis - Minister for Tourism and Postal Services
The Hon H J Zammit - Minister for Housing and Sport
The Hon Major F J Dellipiani ED - Minister for Education and Labour and Social Security
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 QC - 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

PRAYER

Mr Speaker recited the prayer.

CONFIRMATION OF MINUTES

The minutes of the meeting held on the 26th October, 1981, having been previously circulated, were taken as read and confirmed.

COMMUNICATIONS FROM THE CHAIR.

MR SPEAKER:

I would like to read a letter which has been addressed to me by the President and the Secretary-General of the Commonwealth Parliamentary Association. It is dated the 22nd October, 1981, and it reads as follows: "Dear Mr Speaker, The General Assembly of the Commonwealth Parliamentary Association which met in Suva today received from the Association's Executive Committee a Report on the Twelfth British Islands and Mediterranean Regional Conference which your Branch hosted from the 7th to the 12th June, 1981. The Assembly was delighted to learn of the excellent arrangements made for the Conference. We are, therefore, writing to thank you and through you the Branch, the Government and the people of Gibraltar as well as the Branch Secretary and his staff for helping once again to further the Association's aim by hosting the Regional Conference for a third time. You might wish to bring the contents of this letter to Members of your House, possibly by having it read at a meeting to make them aware of the Association's appreciation. Your sincerely, signed M. Qionibaravi President and Robin Vanderfelt, Secretary General".

DOCUMENTS LAID.

The Hon the Chief Minister laid on the table the following documents:

- (1) The Births and Deaths Registration (Amendment) Rules, 1981.
- (2) The Marriage (Amendment) Rules, 1981.
- (3) Gibraltar Broadcasting Corporation annual accounts for the year ended 31st March, 1980.

Ordered to lie.

The Hon the Minister for Economic Development and Trade laid on the table the following documents:

- (1) The Pilots (Amendment) Rules, 1981.
- (2) The Landing and Embarking Fee Rules, 1981.

Ordered to lie.

The Hon the Minister for Public Works laid on the table the following documents:

- (1) The Cemetery (Amendment) Rules, 1981.
- (2) The Audited Accounts of the Gibraltar Quarry Company Limited for the period ended 30th November, 1980.

Ordered to lie.

The Hon the Minister for Education and Labour and Social Security laid on the table the following document:

The employment Survey Report - April, 1981.

Ordered to lie.

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

- (1) Supplementary Estimates Consolidated Fund (No 3 of 1981/82).
- (2) Supplementary Estimates Improvement and Development Fund (No 3 of 1981/82).
- (3) Statements of Consolidated Fund Re-Allocations approved by the Financial and Development Secretary (No 10 of 1980/81).
- (4) Statement of Consolidated Fund Re-Allocations approved by the Financial and Development Secretary (No 3 of 1981/82).
- (5) Statement of Consolidated Fund Re-Allocations approved by the Financial and Development Secretary (No 4 of 1981/82).
- (6) Statement of Improvement and Development Fund Re-Allocations approved by the Financial and Development Secretary (No 3 of 1981/82).

Ordered to lie.

HON CHIEF MINISTER:

Mr Speaker, before we go on to the next item on the agenda I beg to move under Standing Order 7(3) to allow me to make a statement of which I have already given you notice - on my talks with the Foreign and Commonwealth Secretary and the Lord Privy Seal - at this stage in the proceedings and therefore out of the regular order of business. I think, having regard to the importance of the statement and the fact that there are 77 questions, I think this would be a better time to make the statement.

Mr Speaker put the question which was resolved in the affirmative and this was agreed to.

HON CHIEF MINISTER:

Thank you, Mr Speaker. The joint press release issued at the conclusion of the talks with the delegation of British Government officials on 26 November stated that the outcome of these talks had been to some extent inconclusive and that I was accordingly requesting a very early meeting with the Lord Privy Seal in order to pursue a number of matters at political level.

That request was quickly agreed to and the Governor and I were, furthermore, invited to have a talk with the Foreign Secretary, Lord Carrington.

The meeting with the Foreign Secretary took place at 10.30 am on Monday 14 December. I took the opportunity of that meeting to impress upon the Secretary of State the extent to which the whole of Gibraltar had been shocked and dismayed by the sudden announcement of the British Government's decision to close the Dockyard in 1983, not least because that decision had been taken without the close consultation with Gibraltar which we had all along been led to expect.

I also expressed to the Secretary of State the strength of my disappointment and regret at what I considered to be a lack of appreciation of our situation and a negative response on the part of the delegation of officials which visited Gibraltar in November. I said I was grateful for the opportunity to seek from him, at the highest political level, a firm assurance that the British Government would be sympathetic and fair to Gibraltar as well as to ask him to direct that such an assurance be given early and practical effect in the various matters which I intended to raise with him. I said that these requests were made on their own merits but that I had also to say that it was being stated in some quarters that the British Government's objective was to weaken Gibraltar so as to bring about a political settlement with Spain. Lord Carrington intervened at once to say that there was no question of this.

The first request which I put to Lord Carrington was that the decision to close the Dockyard should be reversed. I explained the effects that such a decision would have and brought to his personal attention the Memorandum which had been addressed to me by the Unions in Gibraltar during the demonstration which took place here on 25 November.

Lord Carrington replied that there could be no reversal of that decision. He fully understood how we felt and no-one in London under-estimated the problems facing Gibraltar. He stressed the financial difficulties in the Ministry of Defence and the hard decisions which had had to be taken also in respect of Chatham and Portsmouth.

I then requested that implementation of the decision should, at least, be deferred until Gibraltar had had a chance of absorbing the economic and administrative effects of the removal of the blockade. In a letter dated 7 August, written after the White Paper but before any decisions on Gibraltar had been announced, I had similarly requested that the implementation of any possible defence cuts should be so deferred.

I suggested to Lord Carrington that the cost of modernising the Dockyard might not be greater than the cost to the British

Government of converting it for commercial work. I also suggested that the Dockyard might continue under present management but take in commercial work as had been done successfully in the past. I added that the time-table for a possible conversion was too short.

I told Lord Carrington that a misunderstanding about the position of the Gibraltar Government appeared to have arisen. We had not asked for a conversion to commercial work. A study had been initiated at the time of the publication of the White Paper to investigate what alternative possibilities there might be if it were to be decided to close the Dockyard. A conversion to commercial work was a possibility and this was still being explored. I added that, in any event, such a conversion could be ruled out if, other considerations apart, the land and surplus assets in the Dockyard were not to be transferred to the Gibraltar Government free of charge and if the British Government were not to invest in order to ensure the viability of the proposed scheme.

I raised three other matters with Lord Carrington - the question of the hours of operation of the airfield, development aid and Crown land. I stressed the grave social, economic and commercial repercussions that would ensue if civilian flights were to be restricted and I urged that full consideration be given to the reasonable requirements of the airlines. On development aid, I pressed for the continuation of the policy of supporting and sustaining Gibraltar. The delay which had occurred was already affecting the economy and I sought an immediate interim allocation of aid to be followed by discussion of our submission for the next development programme.

Finally, I said that there was an urgent need to pursue our request for a revision of the existing arrangements for the transfer of land held by the Ministry of Defence surplus to their requirements.

Lord Carrington's response to my request for a fair and sympathetic attitude on the part of the British Government was warm and encouraging. Reverting to the suggestion made in some quarters to the effect that the British Government might be trying to weaken Gibraltar in order to achieve a political settlement with Spain, he said that this had certainly not crossed his own mind and if it had been in anyone's else's mind, Parliament would not allow it.

Lord Carrington, while maintaining that the decision to close the Dockyard could not be changed, said that timing was another matter. He appreciated that it might be too difficult to face a closure of the Dockyard at the same time as a re-opening of the frontier. He continued to be hopeful of an early announcement on the removal of the restrictions. It would then be possible to see what the actual effects were.

Lord Carrington, while unable at that stage to commit the British Government in any way, assured me of his own personal support on the question of Crown land. I derived very considerable encouragement from this response.

I was also encouraged by Lord Carrington's sympathetic response on the question of the hours of operation of the airfield, a matter in which, he believed, some accommodation could well be possible.

Lord Carrington told me that the Lord Privy Seal would have some proposals to make on development aid. He gave me his undertaking that, within the limits of the Foreign and Commonwealth Office and the ODA, they would do what they could to help. It was, however, necessary for him to draw attention to Britain's very difficult economic circumstances.

We then went on to a meeting with Mr Humphrey Atkins, the new Lord Privy Seal, and Mr Peter Blaker, Minister of State at the Ministry of Defence.

At this meeting I elaborated, in greater detail, on the points I had made to Lord Carrington about the Dockyard. I made it clear that we contested the irreversibility of the closure decision and once again stated the actual position of the Gibraltar Government on the question of the possible conversion of the Dockyard for commercial work. I said that I had seen Messrs Kitson and Martin of the Transport and General Workers Union the previous day and had been informed that they had written to the Prime Minister to seek a meeting. They had the support of all the UK unions concerned and intended also to contest the decision on closure on the political plane on an all-party basis.

I also expanded on the question of the airfield, the continuing need for development aid and the question of Crown land. I was again told that the decision to close the Dockyard could not be changed and I again urged at least a deferment, if closure could not be resisted, the aim would be to have time to reach early decisions of principle on alternative economic activities and how they would be financed.

On development aid I was told that the British Government looked at the situation as a whole. They could not deal separately with development aid and not take account of the possible need for aid arising out of the Dockyard closure. The Lord Privy Seal said that, against this background and my demand for some interim award, the British Government agreed that £4 million aid will be made available for urgent projects.

The general question of Crown land was being considered and it was acknowledged that a rapid decision on Dockyard land and assets was required. Ministers indicated that this question was to be considered urgently and positively.

On the question of the airfield it was agreed that MOD experts would visit Gibraltar early in January to study the plans to bring the hours of operation more into line with peacetime military requirements, taking into account Gibraltar's essential economic, social and commercial interests.

Mr Speaker, as I said earlier, the object of seeking early discussions with UK Ministers was to raise at political level the matters discussed with the delegation of British Government officials in Gibraltar in November. UK Ministers have been left in no doubt of our feelings on these matters.

What we now need to do is to take stock of the situation we have reached.

As to the Dockyard, it could not have been made clearer to me that it is not the British Government's intention to change their decision. Our own position on this is that we continue to contest that decision and that we shall be doing everything we can to persuade them to change their minds. At the same time, as I have already made clear publicly, the Government of Gibraltar has a responsibility to investigate contingency arrangements in case the decision is adhered to. It has been brought home to the British Government that any proposal to convert the Dockyard to commercial work would be doomed if the land and surplus assets are not transferred to the Gibraltar Government free of charge. This point has been well taken and my own assessment is that this will be eventually agreed to, if it becomes necessary.

As to development aid, again we contest the British Government's view that this must be seen in the overall context. We consider that the need for aid stems from the British Government's commitment to support and sustain Gibraltar following the imposition of the Spanish restrictions and that the new and potentially very serious situation arising out of the Defence Review is a separate issue to be dealt with separately. We are grateful for the British Government's speedy decision to make £4 million available for urgent projects but must continue to press our case for early and detailed discussion of our aid submission.

We shall equally be pressing our case on the question of Crown land and, although I have been given no commitment, my own personal assessment is that there is now a reasonable, possibly good, chance of our making some early progress on this.

Equally, I feel optimistic about the possibilities of reaching agreement on the question of the operating hours of the airfield. There is no doubt that the vital importance of this for Gibraltar is now fully appreciated in Britain.

Generally, I consider that, apart from the admittedly major issue of the decision on the Dockyard, on which it has so far proved impossible to shift the British Government, we have made some tangible progress in these talks and there seem to me to be good prospects of further progress. We shall certainly be pressing for this at every opportunity.

There is a long and difficult road ahead and I invite the support of this House, and indeed of the Trade Unions and other representative bodies in Gibraltar for the hard efforts which the Government will have to continue to make. I am re-assured in particular, first, by Lord Carrington's expression of the British Government's commitment to Gibraltar, while necessarily taking Britain's economic difficulties into account, and, secondly, by the very strong support expressed by our friends in Parliament whom I addressed after the talks ended on Monday. I feel confident that we shall be able to overcome the problems which face us even though, in the difficult times in which we live, we are not able to achieve all our objectives fully.

I would not wish it to be thought that the talks in London were easy. I would illustrate this point by saying that, in order to underline the potential gravity of the situation I made it fully clear at both meetings that, if the necessary steps were not taken to help us to maintain the way of life of the Gibraltar community in a reasonable manner, my colleagues and I might find it impossible to continue holding office as Ministers. I wish, however, to make it clear that we have no intention of resigning without putting up the most determined fight to ensure that that potential gravity is substantially diminished.

Finally, I should like to announce to the House that I have extended an oral invitation to the Lord Privy Seal and to Mr Blaker to visit Gibraltar as soon as possible and that it has been intimated to ODA on my instructions that an invitation will also shortly be extended to Mr Neil Marten of the ODA for the purposes of familiarisation at first hand and with a view to seeking an early date for detailed discussion of the aid submission, hopefully in the first quarter of 1982. Unfortunately, Mr Speaker, Mr Neil Marten had been snow bound over the weekend and could not be here for the meeting.

HON P J ISOLA:

Mr Speaker, naturally I have to consider the statement that the Chief Minister has made and, of course, any reaction I make to it now must necessarily be one on the spur of the moment as it is. I think the statement the Chief Minister has made is bound to be greeted with a certain amount of disappointment and I think emphasises the enormity of the

task before the people of Gibraltar on this issue. I am quite sure that the Chief Minister has been as forceful as he can be in putting his arguments but against the background of the strong feeling in Gibraltar about the manner and the sudden decision for the closure of the Dockyard and the way it was done that the response in London should still be fairly cool. It seems to me, anyway, that although and I think we must be reassured by the statements and assurances that Lord Carrington and the Lord Privy Seal have given the Chief Minister, I cannot but be disappointed at the little that is being given in terms of encouragement in this sense, Mr Speaker, but although I welcome that Lord Carrington has said timing was another matter, I am sorry he has not been able to go a bit further than that and give us some assurances on what we consider, and I am sure the Government also considers to be the vital issue and that is that the British Government should not close the Dockyard down until, if it is to be closed down, until an alternative viable economy has been worked out for Gibraltar and whilst I do not doubt for one moment anything the Chief Minister has told us in this House, it does not seem that we have been given this although, as I say, one is encouraged by the continuing commitment of sustain and support and by the definite assurances given by Lord Carrington that the question of Spain is not in their minds at all in this decision. I think that is important if we are to face the future with confidence, Mr Speaker. I hope that the Chief Minister realises that on this matter which affects the whole of the people of Gibraltar, the Opposition party which I have the honour to lead, will give him our complete support in the very, very, I think, tough struggle the Gibraltar Government has ahead of them. I would also like to say, Mr Speaker, that the question of development aid is something that must concern us a lot because quite apart from the announcement of the closure of the Dockyard and the inevitable effects this could have on the economy of Gibraltar and on the standard of living of people, quite apart from that, under the sustain and support promise and under the responsibility vested in the British Government, there should be a measure of development aid commensurate obviously with the means of the British Government and also more importantly commensurate with the needs of Gibraltar and the development aid talks, I feel, are being dragged and dragged by the British Government and the Chief Minister has our complete support in urging the British Government to advance the timing for development aid talks. We are going to have a dreadful hiatus in Gibraltar just before the Dockyard closes, if it closes or if its closure is not delayed, and I think that is something I would urge the Chief Minister to take up as strongly as he can with the British Government. Mr Speaker, there are one or two questions I would like to ask. One is, I would like to ask the Chief Minister . . .

MR SPEAKER:

We must not anticipate the questions which are on the Order Paper and we must not debate the statement. As usual, I have given the Leader of the Opposition an opportunity to reply and I intend to give Mr Bossano an opportunity, too, because he represents a different Opposition view but we must not fall into the temptation of debating the issue.

HON CHIEF MINISTER:

Mr Speaker, I would welcome any questions on clarification.

MR SPEAKER:

On clarification, yes.

HON P J ISOLA:

I would like, Mr Speaker, some clarification because I think this is very important from the point of view of the people of Gibraltar. I would like some clarification of what sort of explanation the Foreign Secretary had to give the Chief Minister for what appeared to be a complete breach of assurance on the part of the British Government, a complete breach of solemn pledges given to the Chief Minister during his visit in July, 1981, that no decision would be taken on the closure of the Dockyard without prior consultation with the Government of Gibraltar. I would like to know whether there was at least an apology for this obvious breach of assurance from the Foreign Secretary and then I would also like to know, Mr Speaker, whether the interim aid of £4m that has been given for urgent matters, whether that is agreed that it has no particular limit of time in the sense that it is not £4m for five years or something like that but only for a very short time. Finally, Mr Speaker, as I cannot but express concern at the enormity of the task before the people of Gibraltar, I would like to ask the Chief Minister whether he will pursue the suggestion that I have given him having regard to what he has said towards the end of the statement, that there is a need to get in all the political parties and all the representative bodies that there have been in the past, to try and between ourselves discuss the problems that we are faced and between ourselves try and form a Gibraltar view that can be used and expressed and pushed not only with the British Government but with the British Gibraltar Group in Parliament and all the many friends that we have to ensure that Gibraltar's case does not go in any way by default and to ensure that the Gibraltar case and the Gibraltar view is given the best prospects for success as I am sure we must all agree we must succeed in the end. Thank you, Mr Speaker.

HON CHIEF MINISTER:

I think I might answer the points raised by the Leader of the Opposition.

MR SPEAKER:

Perhaps it might be better for good order if you hear Mr Bossano and then you reply to whatever has been said.

HON J BOSSANO:

Thank you, Mr Speaker. Let me say that, as the Honourable the Leader of the Opposition has said, on the spot reaction to a statement is not perhaps the best way in which to put one's view on a matter as serious as this. However, I think the statement, if one were to try and reduce it to its essential contents, produces little beyond the position of the British Government prior to the Chief Minister's visit to the United Kingdom. We have had reiteration of assurances and I would not for one moment expect any British Government to admit that there was any connection between what they are doing or what they are attempting to do, they have not yet succeeded, what they are attempting to do to the economy of Gibraltar, and their intentions regarding a settlement of the Gibraltar issue with Spain, so to ask them whether it is true that there is a connection which some people believe to exist, I do not think can elicit an admission even if it were true and I think the British Government has failed to keep to the assurances it gave the Chief Minister in July and that of necessity must diminish its credibility in the eyes of this House and of the people of Gibraltar and I hope that that point was made very strongly by the Chief Minister that the relationship between Gibraltar and the United Kingdom has been damaged by the actions and the attitudes and the decisions of the British Government and that it is not the will of the people of Gibraltar that it should be damaged. I think it is also important that the British Government should understand that any reaction against that decision is not a reaction against the United Kingdom or against the British people as a whole but against the policies of the Government at present in power which are unacceptable to large sections of the population of the United Kingdom as well as being unacceptable to large sections of the population of Gibraltar. In the context of the meeting in London, Mr Speaker, and the statement made at the end of the visit of Mr Fergusson, I would like clarification as to whether the question of commercialisation was actually discussed. In the press release issued by the Government at the end of the visit of Mr Fergusson on the 26th November, it said: "In pursuance of proposals for commercialisation" and so on, I would like to know whether

in the context of the meeting, in fact, now that the Gibraltar Government has left the British Government in no doubt that it is not their idea that the Gibraltar Dockyard should go commercial and that it is not their proposal and that the British Government should no longer create that impression which is incorrect, I would like to know on what basis these proposals are being pursued and whether in fact the British Government wishes to pursue them. I would also like to know, Mr Speaker, whether the Chief Minister pointed out to the British Government that the necessary condition for any transition to commercialisation would include not just a free transfer of land, I would have thought that the Chief Minister was bound, with the fundamental policy of his party of the right to our land, was bound to insist on a free transfer of land that I think is axiomatic but also that a necessary condition would be trade union cooperation and that it is inconceivable that any private firm from outside Gibraltar would wish, in fact, to set up a commercial operation in Gibraltar in the knowledge, before they even arrive, that they would be facing industrial action as soon as they stepped off the plane. I hope that point was made very strongly as well and that in the question of the timetable that the British Government proposes to pursue when they are talking about the 1985 date not being final but at the same time saying they are not willing to defer it, is one right in inferring from that that what the British Government is saying is that if there are actual hitches in getting the thing under way within the time-scale they have set themselves, then in fact the process will not be halted because the process is delayed, that in fact any question of deferment is not therefore a matter of a revision of the policy because of the representations that have been made but a necessity forced on the Government by circumstances. Is that the context in which they are talking about the date not being fixed? Mr Speaker, I will not go into any greater detail at this stage, I think to do so would of necessity bring me into the area of the questions I have put on the Order Paper and that would not be right.

MR SPEAKER:

Perhaps the Chief Minister would now like to reply.

HON CHIEF MINISTER:

I am not quite certain now of the third point made by the Leader of the Opposition. One was the question of consultation, the other one was the question of the interim aid. Mr Speaker, it is very difficult in a statement of this nature to be able to put in all the nuances and all the details of two meetings, intensive and hard hitting meetings, if I may say so with respect as may be disclosed from the language I have used. I did make very strong representations on the

question of consultation. I will not say that I received any apologies, that would be misleading the House, but I would go to the extent certainly in the case of Lord Carrington saying that the point was very, very well taken. I will not mislead the House in any other way, I will try and maintain the credibility not only of what is said here but that what is said here is substantially what has happened. I have better news about the question of the £4m and that is subject to usual procedures of getting the necessary approval from the Projects Committee and so on, it is not to be spread over a long period, it will be available for us to spend as quickly as possible but of course, £4m on its own unless we can support it with our own money will in itself not be able to produce much alone but there is no tie to the time-table nor is it spread over a long period. I think we can make a case that the £4m is on the table to be taken in the way we can use it and the Government, now that we know the situation, will adjust the beginning of the development programme having regard to the priorities that are important in re-assessing our own contribution in this matter to make use of that £4m as quickly as possible. I think, as will be seen later on, perhaps, the fact that we have in this particular last programme accelerated progress more than in any other is a good omen and the fact that we have a considerable amount of homework done and that the submission was made in February, I think we are in a good position to start quickly making the best use of those £4m.

HON J BOSSANO:

Is it tied to specific things?

HON CHIEF MINISTER:

No, it is not tied, it is on the table for development and it is free. I am not satisfied with that amount but I do not think we ought to say that it is not at least an indication of their willingness to support us even though, if there are no early development talks, it would be a very bad situation. I fully take the point and accept the point made by the Leader of the Opposition about the importance of the effect on the economy of development aid at this particular time and I would like therefore to stress that that has been made very, very clear. With regard to consultations, in the first place there is an area of consultation already in existence in respect of the question of the closing of the Dockyard, the Governor's Consultative Committee where Members opposite have had the benefit of information and so on which it is proposed to continue. I propose to consider, in consultation with the Leader of the Opposition and Mr Bossano, the areas of consultation that we could pursue in respect of other representative bodies and so on. That, I think, deals with the point raised by

the Leader of the Opposition. With regard to Mr Bossano. I did not ask a question whether this matter had anything to do with Spain. I would not be so naive as to ask a question of which the answer would necessarily be no even if it were yes. I think the Honourable Member should give me credit for that, I did not say I had asked. I have said that this had been suggested and that it had been suggested at very high level as we all know. I had to put into writing into the text in a brief way what happened but I have to add my own judgement on that and my own judgement may prove to be wrong but I have to give my own judgement and my own judgement, having seen Lord Carrington, having put the matter to him, having heard what he had to say, having referred through Parliament, having had behind him the result of the Nationality Bill, I think that his assurances that one thing had nothing to do with the other were sincere and insofar as he was concerned were true and I take them as such. Our relations with the British Government which should be as good as they can make them, I would not say have been damaged but have been affected. I may have something to say in a question at a later stage when we come to the question of faith but that is too early now so I will leave that until we come to that. I did get perhaps more satisfaction than is reflected in the words of the statement, or rather I gathered more satisfaction than I can put in a statement, about the flexibility of the time of the closing of the Dockyard, always related. I want to make it clear because I was not very sure what the last diatribe, if I may say so with respect, the Honourable Mr Bossano made about the question of the delay. I took the assurance I got on that that if it requires more time to make any viable alternative easier to absorb, then the timing was not a fixed one, there was an area of movement there and I think Members will have taken note of the fact that at subsequent questioning in the House of Commons, the year 1984 was mentioned, 1983/84, so I think within the parameters of the availability of work and so on I think that the time has to have a relation to the progress that can be made to substitute the economy of the Dockyard with something else. With regard to the efforts to be made, I would consider them to be, and I have cleared this before that it was not the Gibraltar Government's idea of commercialisation but that came out of the report, I would say and as I said in my statement, the responsibility of the Government to make contingency planning, I would say that now it is an attempt, I would say tripartite attempt between the consultants, the Gibraltar Government and the British Government to pursue the question of commercialisation at the quickest possible time in order to make sure that we are not accused at a later stage of having refused to participate in efforts that are being made that could substitute the economy of the Dockyard which according to the Government is irreversible and which may or may not prove to be but having regard to the time that it took to produce the White Paper

and the cuts made in England, I would join political efforts that I would not be telling my real impressions to the House if I offered any hope that that can be reversed having regard to my impression given in London. With regard to the question of trade union cooperation, I think this was implicit but I think the Honourable Member can gather some comfort to say (a) that I referred to the petition which had been put to me by the Trade Union Movement the day I left the talks with officials and a copy of which was given to each member of the team immediately after I left the delegation. Also, implicit in the fact that I informed the Secretary of State that I had had a meeting with Messrs Kitson and Martin and that they were taking the matter of the trade union side with the Prime Minister. I think that the answer to that in that respect is in the affirmative and, indeed, I think that we must have trade union cooperation in whatever is required to be done in this matter and I hope, too, that the trade union approach to the matter is also coupled with ultimate acceptance of a situation but other than that I think that it is quite clear or rather in addition I think it was made quite clear that the concern was for the whole of Gibraltar and that the trade unions were taking a very active part in putting their point forward and without their cooperation it would be difficult to pursue the matter. I would just like to finish off by saying that my talks with, I did not refer to this because it was not directly arising out of my mission but as it has been made public, I had a meeting with Mr John Silkin, who is the shadow Minister for Defence, who will be coming to Gibraltar on the 8th January to see for himself, he is also shadow Leader of the House at this moment, and also with Mrs Judith Hart who is now Chairman of the Labour Party in the United Kingdom. I had a meal with them and we discussed the whole matter and the best way of dealing with their main concern at that meeting, of course, which is the welfare of the whole of the people of Gibraltar.

ANSWERS TO QUESTIONS

The House recessed at 1.00 pm.

The House resumed at 3.40 pm.

Answers to Questions continued.

The House recessed at 5.50 pm.

The House resumed at 6.30 pm.

ORDER OF THE DAY

MINISTERIAL STATEMENTS

MR. SPEAKER:

The Honourable the Minister for Housing and Sport has given notice that he wishes to make a statement. I will therefore call on the Minister.

HON H J ZAMMITT:

Mr Speaker, Sir, thank you. Following the practice instituted by my colleague, the Honourable I Abecasis, of keeping the House informed whenever a review of postal charges is to be introduced, it falls upon me to make a statement on the increases which will be introduced as from 1 January 1982:

As Members will no doubt recall, the last general review of postal charges took place on 1 August 1980. Since then, annual wage reviews and other factors have brought about a considerable increase in the cost of postal operations. It is Government policy that the service which the Post Office provides should as far as possible pay for itself.

I should nevertheless like to stress that care has been taken, within the stated policy, to keep these increases as low as possible. The following are some examples of the new charges, which are based on the basic rate authorised by the Universal Postal Union:-

surface rates from 9p to 14p for a letter weighing 20 grammes

airmail rates to Europe from 15p to 17p for a letter weighing 20 grammes.

airmail rates to other destinations and other postal services are also increased

The local postage rate will not suffer an increase and will remain at 4p for a letter weighing 50 grammes.

HON MAJOR R J PELIZA:

Mr Speaker, I am very surprised to see that in the face of what one might call the terrible service that we are receiving at the moment from the Postal Services that this should have been the time to raise the rates. We see complaints, Mr Speaker, not only from the mail not arriving here in time but there are people complaining publicly of the time they have to stand to acquire stamps. I would have hoped that the Minister perhaps might have tried to improve that service so that we would see that the public generally were happy with the kind of service they were getting before increasing the amounts. Whilst, of course, we cannot oppose them for the reasons that he says, perhaps he has got to balance his books, I do not know, that is what he said, it would be interesting to know what the additional revenue to

be derived from this is going to be and what the position of the account is going to be at the end of the year, perhaps he could explain that which I think the Minister has not done and then we would be in a better position to know whether this is justified or not but certainly I do not think it is justified on the kind of service that we are getting now and if he goes ahead with the increases I hope there will be a considerable improvement on the service which at the moment leaves very much to be desired.

HON J BOSSANO:

Could I ask the Minister, on a point of clarification, is there a breakdown between what Gibraltar gets and what other Postal authorities get on international mail? The letters that get mailed in Gibraltar, does the whole of the 17p or the whole of the 15p go to the Gibraltar Government?

HON H J ZAMMITT:

Certainly not, Sir. There are of course charges that the Gibraltar Post Office has to make to wherever destination the letter is ultimately getting to so it is not that we retain the 17p or 15p. I would like to say, Mr Speaker, that although Post Offices particularly in England with which we are very closely aligned has lost something like £60m this year, there is and I would not like to give an indication of the airmail because England has not got an airmail service as such, that we must accept from the moment go, they have an all up rate which means that a letter is sent through the Post Office and the Post Office can send it whichever way the Post Office has the best combination, it could be by train; car, boat or by air whereas we in Gibraltar have an airmail service and I can assure the Honourable Member, particularly the Honourable and Gallant Major Peliza, that already airmail in England is 18p but it will be going up quite substantially to Europe of which we form part. Mr Speaker, I agree to a degree that the service could be improved upon, I will not accept of course that it is a terrible service.

MR SPEAKER:

All I will allow you to do is to clarify the question of the 17p.

HON H J ZAMMITT:

I think I have answered that, Mr Speaker.

HON J BOSSANO:

What I am trying to establish, in fact, is whether there is a ratio between what we charge and what we have to pay, whether

there is a relationship which we are maintaining or whether, for example, we have to have a 2p increase because we have to pay 1p more for every letter. Is there a mechanism of that nature involved?

HON H J ZAMMITT:

The charges go up, Mr Speaker, but of course we must realise that we have to pay in Swiss Francs which also accounts for a certain upping, never a downing certainly in my time, and therefore there is normally an upping on that, Mr Speaker, but we try and keep the relativity as best we can.

HON W T SCOTT:

Mr Speaker, may I have some clarification particularly after that question and if I am right in assuming that part of the extra postage is due to annual wage reviews and other factors in Gibraltar or at least some of them in Gibraltar, to have been consistent here, not that I am advocating this, I would have expected a rise in the local postage as well.

HON H J ZAMMITT:

Mr Speaker, we have found that 4p for the area which the Post Office carries responsibility from within Gibraltar is considered to be quite steep and therefore it is found that the mail within Gibraltar has diminished quite substantially, in fact, there are many firms that have a messenger to do deliveries rather than going through the post.

HON W T SCOTT:

Is this perhaps a case either of the local mail being too high in price or perhaps the service could be substantially improved.

HON CHIEF MINISTER:

Mr Speaker, I understand that according to the Order Paper it would be for me now to move the motion standing in my name. I would like to under Order 7(3) to postpone this until a later stage as I am not ready for it now, some material is being prepared for me.

MR SPEAKER:

Fair enough. We will take the second motion.

MOTIONS:

HON A J CANEPA:

Mr Speaker, I have the honour to move in the terms of the motion standing in my name. Is it possible, Mr Speaker, for me to dispense with reading this rather long motion?

MR SPEAKER:

Yes, I think the House will grant leave to dispense with the reading of the motion, it has been circulated and it is lengthy.

HON A J CANEPA:

Thank you, Sir. Sir, at present the container rental free period stands at fifteen days. Beyond that, after the expiration of the rental free period, the fee for containers up to 25 feet in length is \$2.50 per day for the first six days and \$5 for each succeeding day and for those exceeding 25 feet \$5 per day for the first six days and \$10 for each succeeding day. Sir, I have recently received representations from the Conference lines which have highlighted the difficulties that are being encountered by shippers who per force have to return the containers empty to their loading Ports as no goods are exported from Gibraltar and this, coupled with the changed shipping pattern has been causing operators to incur heavy payments in rental charges. It is not possible to return the containers to their Port of origin under the present shipping pattern within the 15 day free period and, in fact, on average, containers are remaining in Gibraltar for over twenty-one days and therefore they sought an extension of this free period. The Government has considered those representations sympathetically and we are proposing that the free period should be extended to thirty days. I pointed out to them, and they accepted, that we felt that if we were going to make this concession then the penalties, or the rental charges, when that thirty days period was exceeded should be increased in order to act as a deterrent and therefore the motion is also proposing that the rental charge should be increased from \$2.50 per day for the first six days and \$5 for each succeeding day, to \$10 per day after the thirty day free period for containers up to 25 feet in length and, secondly, from the present \$5 per day for the first six days and \$10 for each succeeding day, to \$20 per day after the thirty day free period for containers exceeding 25 feet in length. The increase charges are considered reasonable in view of the proposed concession. The opportunity, Sir, is also being taken to review and increase the present wharfage charge. This was introduced on the 8th March, 1979, and having regard to the fact that this was 2½ years ago, we are proposing that it should be increased by 33¼% from \$7.50 to \$10 for containers up to 25 feet in length and from \$15 to \$20 for containers exceeding

25 feet. Sir, the revenue yield is expected to be insignificant. Sir, I commend the motion to the House.

Mr Speaker then proposed the question in the terms of the motion proposed by the Minister for Economic Development and Trade.

HON MAJOR R J PELIZA:

Mr Speaker, I only hope that the Minister for Economic Development and Trade will bear in mind that in raising these fees this is not passed on to the importer in Gibraltar who eventually has to pass it on to the consumer. I would like the Minister for the Port to look into the question of the cost of bringing merchandise from abroad to Gibraltar and to try and work out how much of that extra cost is involved in the actual handling in Gibraltar. I say so because there are items which by the time they arrive in Gibraltar from the place where they are bought they double in price and this is something that I think the Minister for Economic Development who has very much the question of economics in Gibraltar at heart, he should look into that because it would be extremely helpful if a way could be found of reducing those costs as no doubt it will have a tremendous effect on the cost of goods sold in Gibraltar, not just of course for our own consumption but also if we are looking ahead to the day when we may see more visitors coming to Gibraltar as an attraction. I believe that an exercise has been carried out and that comparisons have been made of prices between here and other places in the neighbourhood and in some instances we find that we are really out of the market. I would suggest that one of the reasons why perhaps we are not so competitive is because of the cost in bringing the merchandise to Gibraltar and I would ask the Minister that if he is going to raise fees on wharfages charges and all that, to see what he can do to avoid this being passed on to the importer otherwise, eventually, I think we are gradually pricing ourselves out of all markets.

HON G T RESTANO:

Mr Speaker, I just have one point to make. Presumably, with the free period being extended to thirty days we may find ourselves in a position where there are more containers being retained in Gibraltar than heretofore and I hope that a system can be devised to keep the Port a little bit less congested than it is at the moment. One goes to the Port area and the containers are not really stacked properly, they are placed in a very untidy manner and I think that even if there wasn't any likelihood of an increase in the numbers, even with those that we have at the moment, I think a system should be devised so that the Port looks a bit neater, looks a bit cleaner than it does at the moment.

MR SPEAKER:

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

HON A J CANEPA:

I think the Honourable Mr Restano has a point, Mr Speaker. It is a valid point, this is something which the Dock Controller will be able to look into, it will be very much part of his duties. We do need somebody to be there all the time keeping a check on the situation. The Port Department does not have anyone at present who can do this and this is why we are employing a Dock Controller. Insofar as the rental charges are concerned, I do not think, Mr Speaker, having regard to the fact that containers are now remaining in Gibraltar for twenty-one days, I do not think that if we allow a rental free period of thirty days increased charges are really going to apply as a general rule so I do not anticipate that those costs should be passed on to the consumer at all. The point that he has raised is a much wider issue, of course, which involves matters which may not be within our control, which may not be within our purview, they may well involve charges which are not levied within Gibraltar. I will see what can be done about the matter but I cannot sincerely promise that I will be able to get very positive results.

Mr Speaker then put the question and on a vote being taken the following Honourable Members voted in favour:

The Hon I Abecasis
The Hon A J Canepa
The Hon Major F J Dellipiani
The Hon M K Featherstone
The Hon Sir Joshua Hassan
The Hon A J Haynes
The Hon P J Isola
The Hon A T Loddo
The Hon Major R J Peliza
The Hon J B Perez
The Hon G T Restano
The Hon W T Scott
The Hon Dr R G Valarino
The Hon H J Zemmitt
The Hon D Hull
The Hon R J Wallace

The following Honourable Member abstained:

The Hon J Bossano

The motion was accordingly passed.

BILLS

FIRST AND SECOND READING

THE HOUSING ASSOCIATIONS ORDINANCE, 1981

HON M K FEATHERSTONE:

Sir, I have the honour to move that a Bill for an Ordinance to provide for the incorporation of associations for housing purposes and for matters incidental thereto, be read a first time.

Mr Speaker then put the question which was resolved in the affirmative and the Bill was read a first time.

SECOND READING.

HON M K FEATHERSTONE:

Sir, I have the honour to move that the Bill be read a second time. Sir, this Bill is intended to enable occupiers of housing estates or blocks, if they so wish, to form associations for their administration and management. Provided that they all participate, the owners of units comprising an estate or block of flats and, as the Bill explains, two flats or more all in the same area can be classed as a unit, they may incorporate a housing association and any person holding a leasehold interest of not less than three years may participate but only one occupier may do so and, of course, if you own the building or the flat outright you are also entitled to participate. Sir, the Bill is designed to facilitate, particularly, the management of the common areas of estates and flats especially those held by owner occupiers such as in the Woodford Cottage Scheme which is proposed to get off the ground shortly, Shorthorn Estate if that should be sold by Government to the tenants and any other housing schemes which may come about following Government offers to sell flats in various estates and Government offers such as the Honourable Minister for Economic Development mentioned this morning at 4 and 6 Lower Castle Road which could form an estate of its own. It is an enabling measure, Sir, and subject to the restriction that the housing association may not carry on business for profit, the members may, in a memorandum establishing an association, specify such purposes as they may think fit. The idea is of course that the housing association members will have the maximum control over the area itself. The Bill will, subject to the management rules adopted by the members, confer on an association specific powers for the administration of common areas and for the general benefit of the members including powers to maintain common areas in good repair, to comply with statutory requisitions on behalf of the members and to

maintain administration funds. More generally, associations will have such powers as are reasonably necessary to carry their purposes into effect. Although the measure has been prepared with Government housing schemes in mind, its provision may, of course, apply to any housing scheme and private promoters of group housing schemes may join in if they so wish. The scheme of the Bill contemplates that the participation of all the occupiers will be necessary for an association to be formed. It is obvious that it is no good if you have a block of flats in which there are sixteen tenants and two of them wish to stay out, the need is that they all take part otherwise it cannot be formed. Consequently, provision is made in the Schedule for a number of minimum management rules which will apply in every case. These are intended to ensure that there is provision for management of an association, that regular meetings of associations are held, that members will each have an equal vote and that members are kept informed of the progress of the affairs of the association and of its Committee of Management. In the Bill itself provision is also made for the keeping of proper accounts and approved auditing. Regulations may also be made by the Governor, on advice, concerning the management of funds. The Bill itself also contains provisions to enable majority and minority groups of members to seek relief from the Supreme Court. This is considered necessary in the interest of efficacy and of equity. There are substantive provisions in the Bill. It also provides for a registrar of housing associations who is likely to be the Surveyor and Planning Secretary and lays down a procedure for registration and consequent incorporation for the keeping of a register and for the cancellation of registration. Sir, it is not the intention of the Government to take the Committee Stage at this meeting of the House but at a subsequent meeting. Therefore, Sir, I commend the Bill to the House.

MR SPEAKER:

Before I put the question to the House does any Member wish to speak on the general principles and merits of the Bill?

HON MAJOR R J PELIZA:

Mr Speaker, I think in this instance it is imaginative of the Government to bring this Bill to the House. I think it will induce people to think of getting together and developing projects of a small nature which perhaps the Government have not thought yet but which they may come forward seeing that there is a way of being able to protect their position within, say, a block of flats and that there is some kind of legal sanction behind whatever it is that they intend to do. I therefore do welcome the Bill and I am sure that this is something that in most societies already exists and it was lacking here and now we are going to have it. But I would tell the Minister at the same time, just going slightly off

the point and I will not go very far, Mr Speaker, that perhaps it might possibly do something similar for the housing estates in Gibraltar where I know in those places where there is a Committee although it is really produced by the tenants themselves with no legal sanction behind it, where it does work very well and I might mention where I live, in Penney House, where the tenants have really gone out of their way and even produced a garden at the back sweating very hard in the summer and I think that something like this may induce people to look much more after the area in which they live. In commending this Bill, Mr Speaker, I hope that the exercise produces good results and that perhaps it might induce the Minister to look into how they could do something similar for the housing estates.

HON J BOSSANO:

Mr Speaker, I think the Minister said that this was enabling legislation and I take it therefore that people will not be required to form housing associations or to register them. I also take it that the legislation will not in fact cover the existing Tenants' Associations and I think it is important to realise on the existing Tenants' Association in housing estates from my experience of them, that any of the associations that had to work within legal requirements as to meetings and so on and producing accounts when it depends on voluntary work of people who in many cases are also involved in many other organisations because in Gibraltar it tends to happen that we get the same people reappearing in almost every conceivable organisation, the thing would never get off the ground and any association like that would find itself acting illegally. I think the Tenants' Associations on housing estates have got a loose framework and need to be kept like that so I would certainly not support any attempt to make them work within legal requirements. I can understand that when one is talking, for example, of people setting themselves up to own, as it were, cooperatively a housing estate or even if they are individual owners but they have to own certain areas collectively, then there has to be some legal entity who can be sued and with whom contracts can be signed and who can be held responsible and I see the need for that and I will support the legislation on that basis but I want to make clear that although I support the concept of home ownership proposed by the Minister for Economic Development in allowing private individuals to develop properties that have been lying empty and derelict for very many years and are likely to remain like that for many years because of shortage of public funds, I do not support the concept of home ownership by selling existing Government houses at huge discounts and consequently any support that I give this Bill should not be construed as support for the sale of Council houses.

HON CHIEF MINISTER:

I think the question unless there is ownership involved does not arise and I think the work that is being done now by the tenants associations is a very good work and should be encouraged but I think this may also bring about the need to consider legislation to protect tenants of private flats which are collective areas where there are difficulties about charges made and so on. I think we will have to look at that, too.

MR SPEAKER:

Does the Minister wish to reply?

HON M K FEATHERSTONE:

I am very grateful, Sir, for the kind words of the Honourable Major Peliza. As the Honourable Chief Minister has said, the question of Government Housing Estates is not covered by this Bill, this is purely for private estates, but we do take the point and my department does work very closely with Tenants' Associations and I shall do my utmost so that that work can continue. As I have said, the situation here does not apply to Government Estates so I think the Honourable Mr Bossano will not need to worry about it.

Mr Speaker then put the question which was resolved in the affirmative and the Bill was read a second time.

HON M K FEATHERSTONE:

Sir, I beg to give notice that the Committee Stage and Third Reading of the Bill will be taken at a subsequent meeting of the House.

SUSPENSION OF STANDING ORDERS.

HON M K FEATHERSTONE:

Sir, I have the honour to move the suspension of Standing Orders Nos. 29 and 30 in respect of the Public Health (Amendment) (No.4) Ordinance, 1981.

Mr Speaker put the question which was resolved in the affirmative and Standing Orders Nos. 29 and 30 were accordingly suspended.

THE PUBLIC HEALTH (AMENDMENT) (NO.4) ORDINANCE, 1981

HON M K FEATHERSTONE:

Sir, I have the honour to move that a Bill for an Ordinance to further amend the Public Health Ordinance (Chapter 131) be read a first time.

Mr Speaker then put the question which was resolved in the affirmative and the Bill was read a first time.

SECOND READING.

HON M K FEATHERSTONE:

Sir, I have the honour to move that the Bill be read a second time. Sir, rainfall from the 1st January to the end of November this year has totalled approximately 18,000 tons. This compares very unfavourably with the same period last year when some 59,000 tons were collected. In spite of this 59,000 tons, last year's rainfall was much lower than average and this is reflected in the low yield from the wells during this year. The amount actually produced was lower than for the same period last year by some 22,000 tons. The cumulative effect of these shortfalls coupled with a small increase in consumption, and consumption is increasing at about 3% to 4% per annum, means that by the end of November our stocks of water in the reservoirs had fallen to a critical level of some 6 million gallons. It might be pertinent to comment that the absolute minimum is some four million gallons but when stocks fall to this level it is almost impossible to work the reservoirs satisfactorily owing to pumping difficulties and the water quality could not be maintained. When the stocks this year, Sir, had dropped to six million gallons, the position was that we had to rely on two distillers and a reduced rate of importation from Morocco where there was some restrictions on the quantity of water which could be given to our tankers. Any breakdown in any one of the distillers would have meant a most serious situation and irrespective of the possibility of a breakdown, the distiller situation was such that they were nearing the time when they would have to shut down for overhaul. Indeed, the North Face distiller, which has worked continuously for the last ten months, should have been shut down for overhaul some weeks ago and great credit is due to the PWD engineers and distiller plant workers that the two plants have been able to be kept working reasonably satisfactorily. Government was therefore faced with a situation that either drastic water rationing would have to be implemented, this being done by cutting of supplies and fitting stand pipes at various points from which buckets of water could have been collected or to import water from the United Kingdom by tanker. The possibility of rationing could not be countenanced and a decision was taken to import some four and a half million gallons or 20,000 tons by tanker from the United Kingdom. The cost of this water will come to approximately £190,000 and when sold under the normal methods of supply will only produce about \$59,000, leaving a shortfall of £131,000. This shortfall could be covered by increasing the already considerable subsidy to water in the account or by a surcharge on all water used for a period of time until

the shortfall were covered. The Government has decided to adopt the latter course and therefore this Bill seeks to put a surcharge to be known as IWA, or Imported Water Allowance, on all water consumed over the next four months. The surcharge will be at a flat rate of 7 pence per unit of 100 litres irrespective of the current price of the water supplied which means that if you are using water at 13 pence per 100 litres, then you will pay 20 pence per 100 litres. If you are using as an industrial user water at 40 pence per 100 litre, then you will pay 47 pence. It has been calculated that if the surcharge is applied for the months of January, February, March and April next year, this will bring in sufficient money to cover the shortfall. To the average domestic consumer the increase per month will range between £1.70 and £2.50 per month. This is not considered to be too heavy a price to pay for a continued supply of water during this critical period rather than suffer, as some of our neighbours have done, the vicissitudes of intense water rationing. I commend the Bill to the House.

MR SPEAKER:

Before I put the question to the House does any Honourable Member wish to speak on the general principles or merits of the Bill?

HON P J ISOLA:

Mr Speaker, we are opposed to the principle of the Bill. We agree entirely that the Government should do everything it can to keep a continuous water supply to the population but we don't like the introduction of this water adjustment charge, it has unhappy memories of the fuel adjustment charge which we have in relation to electricity. It is not for us to judge whether the shortfall should be subsidised from the Water Fund or not but I think that what we ought to consider, the Budget is in March or April, and the Government will then have to look at their total water bill and decide what should be done in the circumstances. We don't agree that the shortfall of the tanker should be made up immediately because, after all, we may get some rain next year, the situation could change quite a lot and there is no reason in our view why people should be penalised for using the water that they are entitled to use if the supply is there. We don't like the introduction of the principle of this adjustment charge because we know that this won't be the first time it is done, it will take a permanent state although this Bill doesn't allow it because it is only for January, February, March and April, but if we agree to the principle we will get a situation where water, like electricity, is made subject to this adjustment formula. We don't like it, we think that it is the obligation of the Government to provide water at the most reasonable charge it can

provide it and taking account of the whole cost of production and not just go to a particular area of production, for example, a tanker, to justify an increase. I think we must look at the picture at the end of the financial year and decide what has to be done. We don't like the introduction of the adjustment formula. The principle of the Bill is what we are opposed to.

HON J BOSSANO:

Mr Speaker, I will be opposing the charges proposed by the Government. It seems to me that in this particular instance, what the Government is saying is that the water that is being imported is going to be met, the whole cost is going to be met by the consumer, there is not going to be any subsidy because the Minister has said that if that water was sold at the normal price of water, it would effectively be sold at a loss of £131,000 over the cost price and that the introduction of a levy for a period of four months will, in fact, re-coup that loss and consequently I imagine the Government expects to finish the account on the same basis as it would have done had it not had to import the water, that is, the cost of the tanker will come entirely out of the consumers of the water. The only thing is, of course, that people are going to be charged not on the marginal increase in the water which is the water being brought in, but on the whole of the water they are consuming, including the water that they may be getting from the pump in their underground tank, and as far as I am concerned I think if we have got a shortage of water and we have got no way of overcoming the situation other than importing, then I would agree with the Government that the right thing to do is to import rather than introduce drastic rationing but I can see no justification of saying that the consumption over the next four months has got to be made to pay for the bill for the tanker. I do not support it.

HON W T SCOTT:

Mr Speaker, a small contribution. It seems to me from questions and answers and information we have been soliciting for quite a few months now, that even if we had had the average rainfall that we might have expected throughout this last year, we would still have been short of the requirements of fresh water in Gibraltar, both in wells and in rainfall. This is why in a supplementary, I asked the question of whether Government intended having another desalination plant or another distiller in its Development Programme. It seems to me, therefore, Mr Speaker, even more important now that this should be effected because I can see a situation where come three or four months time from now, we might find ourselves in a similar situation yet again. On that basis, if the Government has not already given the great priority to this desalination plant, I think it should reconsider the priority it should give to it and place it really high on the list.

HON CHIEF MINISTER:

Sir, I regret to say that since the dissolution of the City Council, the powers that I was reputed to have in producing rain when there was a shortage have dismally disappeared and I have never been able to catch up on it since then. It seems to me that we are very lucky in Gibraltar in spite of everything that we have been able to ensure a continuous supply of water for many, many years. It has been at a cost and in respect of consumers it has always been a subsidised one, and rightly so, and developing the theory propounded by the Honourable Mr Bossano that because we have to be self sufficient the general body of tax payers must pay for the benefit and that we are doing. The Minister said this morning something which I thought was very helpful in reply to the Honourable Mr Scott about the consumption, that the call for economy of water had had an effect. I think that if this temporary increase has the further effect of making people much more conscious, then we will have achieved something apart from re-couping the money that we are paying for this particular one. We know we are selling water to the consumer at a heavily subsidised rate, this is just to recoup this special thing and to highlight what is here fortunately not felt but which anybody who watches television on the other channel will know that for eighteen months there has scarcely been any rain and I do not agree with the Honourable Mr Scott that had we had average rainfall we would be in the same position. Of course we wouldn't because not only would we have had the water in the catchments but the point is that with average rainfall the wells yield considerably more than with the dry period that we have had. When we tax the wells too much, as was done during the war, we nearly killed them. This we found in 1945, when we entered the Council during the war year, the wells had really been sucked out of water and the water that was being delivered then was very, very hard until gradually the wells were nursed again. This is, perhaps, the only benefit that we can get from the rains in Spain that goes into our pumps and into our wells. This Bill is just a temporary measure which we feel will highlight the situation which some people take too much for granted, that we ensure a continuous supply of water even where in other places they have great difficulties in maintaining even a ration which to us unfortunately would require considerably more expense because rationing water and cutting water at certain times brings about a considerable amount of waste because of the rust in the pipes and we would have to have special machinery to do so.

MR SPEAKER:

I will call on the Minister then to reply.

HON M K FEATHERSTONE:

Sir, with regard to the point raised by the Honourable Mr Isola, I think that he hasn't quite understood the principle. The principle is, of course, that the small user will pay a small surcharge and the large user will pay a high surcharge. If you have got two people, both earning the same salary and both paying the same Income Tax and you were to put all this extra cost into the water deficit where it would have to be paid eventually out of the Consolidated Fund, then you would have one of those two people, who are both on the same economic footing, subsidising the other and this would be unfair. I think that the principle we have evinced is a reasonable principle. As far as Mr Bossano's point is concerned, the domestic consumer who in the main uses less than four thousand five hundred litres per month, will be paying at the rate of 13p plus the IWA of 7p which is 20p, he will still be getting subsidised water over the marginal rate, subsidised to the tune of something between 50% to 33 $\frac{1}{3}$ %. I think, once again, it is not really unfair that they should pay this extra for this special supply that we have to bring in. I take the Honourable Mr Scott's point about the distillers, we have a new distiller scheduled, the tender should be coming out within the next four to eight weeks and as I have already said, we are going to ask for some money in this session of the House to get on with some of the civil works that are necessary. We are very aware that the need for more distillers is very urgent. As I have said, the consumption of water is steadily rising and, of course, we cannot put all our faith into importation from reasonably short distance sources and naturally we don't want to put very much need into importation of water from the United Kingdom from where it is very expensive. I think that the Honourable Chief Minister has said the Honourable Mr Scott is somewhat wrong in his calculations. If we had had a normal year of rainfall and a normal amount of water from the wells, we would have been some 2 to 3 million gallons better off and, of course, the situation would not have arisen that we were so critically low in stocks. I commend the Bill, Sir.

Mr Speaker then put the question and on a vote being taken the following Honourable Members voted in favour:

The Hon A J Canepa
The Hon M K Featherstone
The Hon Sir Joshua Hassan
The Hon J B Perez
The Hon Dr R G Valarino
The Hon H J Zammitt
The Hon D Hull
The Hon R J Wallace

The following Honourable Members voted against:

The Hon J Bossano
The Hon P J Isola
The Hon A T Loddó
The Hon Major R J Peliza
The Hon G T Restano
The Hon W T Scott

The following Honourable Members were absent from the Chamber:

The Hon I Abecasis
The Hon Major F J Dellipiani
The Hon A J Haynes

The Bill was read a second time.

HON M K FEATHERSTONE:

Sir, I beg to give notice that the Committee Stage and Third Reading of the Bill be taken at a later stage in the meeting.

This was agreed to.

THE CITY FIRE BRIGADE AND FIRE SERVICES (AMENDMENT)
ORDINANCE, 1981

HON DR R G VALARINO:

I have the honour to move that a Bill for an Ordinance to amend the City Fire and Fire Services Ordinance 1976 (No.19 of 1976) be read a first time.

Mr Speaker then put the question which was resolved in the affirmative and the Bill was read a first time.

SECOND READING.

HON DR R G VALARINO:

Sir, I have the honour to move that the Bill be read a second time. As explained in the explanatory memorandum, this Bill seeks to amend the City Fire Brigade and City Fire Services Ordinance (No.19 of 1976). Clause 2 amends Section 3 of the principal Ordinance which, incidentally, defines areas in which the City Fire Brigade is responsible for fire prevention and control and it indicates it so as to include the auxiliary Camber and those parts of the Rock and the North Mole that are now not held or occupied by the Ministry of Defence. In fact, this Ordinance has been so drafted so that any future MOD land coming over to the Gibraltar Government is automatically included in the Schedule and we do not have to come back to the House to cover any handing over. Clause 3 amends Section 30 of the Principal Ordinance and, in fact, has three subsections. (A) for the making of

regulations for the certifying for fire safety purposes of premises or classes of premises to which the public have access in which people are employed and, in fact, covers all public premises and premises where people are employed. Basically, this is a step up in the fire precaution regulations and is a desirable object as we want to bring all standing regulations as far as UK standards are concerned. The other thing about this Bill is that it also provides for the Governor to make regulations and designate, thereby preventing any further comeback to the House. Section B, requires fire extinguishers and fire fighting equipment to be provided and maintained in premises. Not only does it do that but it requires any landlord, or owner occupier, to provide these fire extinguishers and fire fighting equipment in their own homes, it also allows the Governor to make regulations and thereby avoiding cumbersome and separate legislation. Subclause C, is really a provision for penalties and these penalties are set out, as you can see, in that paragraph. This is the initial move in order to bring fire prevention regulations up to a very acceptable level and, as I said before, at par with the United Kingdom and forms part of a package deal in which we started off with the public sector in providing fire extinguishers, which was extremely successful, and now we are getting to the field of the private individuals and shops and premises. I think this is something worthwhile, something which must be considered and in the context of Gibraltar being so small and at times being so difficult to get to in case of an emergency or a fire, I strongly commend this Bill to the House.

MR SPEAKER:

Before I put the question to the House does any Honourable Member wish to speak on the general principles and merits of the Bill.

HON G T RESTANO:

Mr Speaker, I had misgivings when I first saw this Bill and having listened to the Minister propounding on it has made me even more worried about some sections of this Bill, particularly subclause 2, empowering the Governor to make regulations and, in fact, compelling owners or occupiers of premises to have fire fighting equipment in their premises. What I don't like about this is that it should be by law. Of course I think it is a good thing to have fire fighting equipment in as many premises as possible but I think this should be done more by encouragement than by legislation. Another matter contained in the proposed regulations under subparagraph 3, is the providing of applications for certificates. I would like to know, and I would like the Minister when he replies, to say who is going to pay for this. Are all the owners of premises going to pay this, what are those charges going to be?

Then, again, prescribing the manner in which the extinguishers and equipment specified are to be kept in premises or classes of premises. What, in practice, is going to happen, Mr Speaker? Is, in fact, the Fire Brigade going to go to premises and say where all the equipment should be placed, and is that service to be given free of charge? Then subclause G, which regulates the sale, supply, installation, repair, maintenance and inspection of the fire service and fire fighting equipment. We do not like the principle of one department being able to impose on individuals what sort of machinery, what sort of equipment they should be purchasing or installing. I think that goes against the principles of free trade, I think it could well be a Government incursion into the private sector. So, Mr Speaker, subject to getting some explanations, some further explanations from the Minister on those points that I have raised, we certainly could not go along with subparagraph 2 of this Bill.

HON J BOSSANO:

I find it difficult, Mr Speaker, how one can go along with legislation that provides up to six months imprisonment as a punishment for somebody that refuses to have a fire extinguisher in his house. Unless I have read the law wrong, that is implied. If one can make regulations requiring occupiers of premises to have and to maintain in effective working conditions fire extinguishers and then there is under Sub Clause H, it says that contravention or failure to comply with any regulation made under the subsection shall be a criminal offence and provides for penalties not exceeding a fine of £50 or imprisonment of six months. It sounds somewhat grotesque to suggest that this is going to happen in fact but, in fact, this is what the legislation enables the law to provide for, it enables for a law saying that if your fire extinguisher isn't working in your house they can lock you up for six months. I can't say that I share the optimism of the Minister as to the effectiveness of the distribution of fire extinguishers that we have had to far. I know that they have been distributed but I am not quite sure whether anybody knows what use they are being put to and precisely where they are, or how accessible they are in a case of fire. I know personally that a lot of people have still not got the fire extinguisher out of the box in which it was delivered and are not quite sure what is in the box until occasionally they come across it and open it and look inside. As a means of ensuring effective fire protection I don't know how good that will be but I think one will find that generally speaking it is the people who are less capable of organising their own lives and their own affairs and when we have had fires in Gibraltar occasionally it has been not infrequently through neglect of basic safety requirements like not leaving things turned on or not leaving lighted cigarettes lying around and this sort of thing and I think that there is a correlation

between accidental fires of this nature and the reliability that one can place on people who are perhaps not very well equipped to handle their own affairs actually getting round to finding the fire extinguisher and knowing what to do with it rather than running out into the street screaming for help from the neighbours. I think it is perfectly legitimate for the Government to say: "Well, we think that there is a fire risk in Gibraltar, that because Gibraltar is very small and very crowded we need to limit people's freedom and we need to have a law that requires everybody to have a fire extinguisher ready and available in their house and well maintained". However, I don't think the history of fires in Gibraltar indicates that we are running this enormous risk. If it were the case and if the social good requires it, then I am certainly prepared to defend as a political decision that the limitation of the freedom of the individual can be justified for the good of the community and it is a philosophy that I do not shrink from defending, but I am not satisfied that the case has been made here.

HON ATTORNEY-GENERAL:

Mr Speaker, I would like to speak to the manner in which the controls because that is what we are talking about, controls or potential controls, is presented in this Bill. The question of whether or not there should be compulsory control in relation to the fire hazards I think is very much a matter of policy, if that is the right word, or technical policy if you like. The way in which that is carried into effect in this Bill is of course to enable regulations to be made if the Government choses to do so. The first point that I would like to make is that when these proposals originally came up, there was a suggestion that they should be by way of an Ordinance as such but I don't think that is really the best approach and I advised against that approach because we already have a principal Ordinance, the one which it is proposing to amend which already deals with the general matter of fire control and fire precautions and I think these are properly matters of detail to be subsumed under that head. I think whether or not fire control provisions are going to be compulsory is really a matter, if you like, of technical policy but one point that does occur to me is that I should explain why they have been done by way of regulations but if there were any feeling on the Government side and in the House that these powers are wide powers, well, of course, it would be a relatively easy matter to have a subclause in the Bill saying that the regulations must be laid on the table of the House. If I can speak to three particular points. One of the Honourable Members referred to paragraph (g), the new paragraph (g), that is to be included in the regulation making powers in Section 30 of the Bill, I would simply say that what we have done here is to redraft the whole of a section which already exists and that particular provision as already established in the Bill. The Honourable

Member will see if he looks at Section 30 that there is already a paragraph (f) which deals with that point and this is not a new principle in this amending Bill. If I can turn also to the question of offences. Because it is a general enabling proposal, I think that as a matter of practice one normally provides in general terms for offences. Of course, the regulations that are made, those of them which are offences would have a varying degree of gravity according to the nature of them. It is not usual practice in conferring regulation making powers to break up into detail in the enabling powers themselves the different levels of penalties that can be provided, that is normally dealt with when you come to make the actual regulations. There is also a recognised convention, I think, in spelling out criminal penalties which is this, that if you put the fine first and then the term of imprisonment subsequently, the courts will, in general, interpret that to mean that normally the matter should be capable of being dealt with by way of a fine but there may be some cases in which imprisonment is warranted and I think that leaves this question; can there be any case in which imprisonment is warranted in regulations which might be made under this section? Perhaps, normally not, but I think if we are dealing with premises to which the public at large have access and premises in which employees routinely work and after all they are two of the classes of premises to which regulations can be made, and if you have a big enough situation then, even if infrequently, there may very well be cases when the gravity of the offence is such that a six month's penalty would not be excessive.

HON A T LODDO:

Mr Speaker, I would just like to ask a question on clarification. What type of fire equipment did the Minister have in mind? Is it the same type that Government has installed in its estates because, I can think immediately of four different types of fire fighting appliances and I don't think it would be practical to have the four in one's house. Each one used for a different type of fire. I can think of foam, water carbon dioxide and powder. If the Government installed one type of appliance in its estates, one would expect that the most that could be required from the private individual would be a similar appliance, whether he bought it from one manufacturer or another, it would be entirely up to him. I think it might be cumbersome to expect any private person to be lumbered with, say, three different bits of equipment for three possible types of fires in his premises.

HON P J ISOLA:

Mr Speaker, I fully sympathise with everything that has been said on this side of the House. As I understand it and perhaps the Minister will be able to confirm it, in England they are now going back to the theory and to the thought

and advising people where fire fighting is concerned, people who live in houses or in the case of business premises, that if there is a fire they close doors, get out and call the Fire Brigade straightaway. Because if people start handling extinguishers that they don't know much about or they have forgotten how to do it, and it's been there, they have never had a fire for years, they are likely to be suffocated and damage is likely to be done to them by trying to fight the fire. I think that is a very important point of principle that we have to know before the Minister launches the whole of Gibraltar into a very, very expensive exercise, which is the second part of my question; can Gibraltar afford this sort of legislation and this sort of compulsion on people in houses and in tenancies and in businesses to have fire fighting equipment and fire extinguishers all over Gibraltar. The Minister says that it has been done in the public sector but that has been done entirely at public expense. Has it been successful? Is it true what my Honourable Friend says, that in many houses the fire extinguishers are still in the boxes in which they were delivered? Has the Fire Brigade the capacity to go round to every individual household and tell everybody how to use these fire extinguishers? Mr Speaker, we are being launched here into an exercise, at times of crisis in Gibraltar the Minister is launching us into an exercise giving extensive power to the City Fire Brigade, when I am sure they haven't got the manpower unless they go doing this after hours and again an extra charge on the revenue of the colony through overtime and so forth. What are we being lead in for, Mr Speaker? I agree with what the Honourable Mr Bossano has said. Fortunately, mercifully, we don't have a very high fire record in Gibraltar and I would say that in most places in Gibraltar the advice that is given in England would be sound and proper advice to give. Close doors, get out, and call the Fire Brigade. Don't start playing around with these fire extinguishers which may still be locked up in your case, or which you may not know anything about. It is all very well for the Minister to talk about the public sector but the public sector, apparently, has been an exercise in wasted expenditure if there is one single household that still has its fire extinguisher in a box. I recall the reasons why that happened. That happened, I think, as a result of questions from Honourable Members on this side of the House about the hoses in the various blocks, I think it was in Red Sands Road, in Humphreys, not having been maintained and being in a terrible condition. The Minister came back with a brilliant idea that they were going to throw away all these things and provide an individual fire extinguisher in every tenement in Gibraltar. That was an experiment that, apparently, has not succeeded whatever the Minister may say, judging from what one hears. It has not succeeded or it may have succeeded but it hasn't been put to the proof. Mr Speaker, I agree with my Honourable Friend, Mr Restano, these are very, very wide powers. I think it would be much better to persuade people that it is in their

interest not just to buy a fire extinguisher but it is in their interest to call the City Fire Brigade. For example, firms of some size, or hotels, for the Fire Brigade to go there and instruct people in the hotels how to deal with it and so forth. I would also like to know how many fire extinguishers the Minister is going to put in each office. What is it going to be, one per room, is there a norm to this? Is it the landlord who is going to be told to buy it, or is it the tenant who is going to be told to buy it? Is this going to have an effect on rent if it is going to be the landlord? Is the landlord just going to be compelled to buy an extinguisher or is that going to be passed on to the tenant, or is it going to be the tenant? We are not happy with this Ordinance, Mr Speaker, and certainly unless we have satisfactory answers we will vote against it.

HON DR R G VALARINO:

Mr Speaker, Sir, certainly Mr Isola shows the lack of knowledge that exists as far as he is concerned about fire precautions. He ought to know that Hotels have got to conform with fire safety regulations and, in fact, we have had a tremendous number of fires in Gibraltar. If he cares to remember, we had a very large fire at the Rock Hotel which fortunately, due to the fire prevention regulations at the time, was minimised. We have had fires at the fibre glass factory, we have had fires at the Deputy Governor's office, we have had fires at the clubs in Bell Lane. In fact, we have had a tremendous number of very large fires and in a small place like Gibraltar it is important to be able to fight the fires as soon as possible. In reply to Mr Bossano, he said that of the fire fighting equipment which we had provided, half of it was lying idle. I can tell him that not so long ago, there was a very large fire at Rosia Dale and it was only through the services of the people there and in fact they used five fire extinguishers, that a tremendous amount of damage to Rosia Dale was avoided. When you consider, in practical terms, the amount of fire fighting precautions, compare that to the amount that nowadays it costs to build just one house, it is worthwhile to have all the fire fighting regulations available as much as possible especially in Gibraltar because, unfortunately, roads are narrow, there are a lot of steps and it is certainly not easy for the Fire Brigade, who are an excellent body, to be able to fight these fires. Mr Isola well knows that places that are open to the public have both fire fighting equipment as far as doors is concerned to prevent smoke which is extremely deadly and the fire fighting equipment and if he wishes, I would show him an ordinary extinguisher and show him how simple it is and how easy it is to operate and as a first line of defence it is the ideal system that can exist in Gibraltar. In fact, we are daily getting letters from people in Gibraltar thanking us for these fire extinguishers that we have provided in the public sector.

There was a comment from the Honourable Mr Restano as to how much this was going to cost the public. Well, let me assure Mr Restano that this will be free of charge so that no money will be involved in this direction as far as checking the fire fighting equipment, re-habilitating that equipment and anything else that goes with it. The last two points made were why don't we compel the people of Gibraltar by encouraging, so that they can have fire fighting equipment. I think this is a useless exercise. You would be able to compel certain factories because they come under the Factories Ordinance, but to compel certain individuals, certain households, this is totally impossible and, in fact, it is really to some extent rather irresponsible. The last item that Mr Loddo brought up was, what type of equipment would be used. Certainly, the type of equipment that would be used would be similar to the present one that we are using, whatever manufacturer makes it, but it has certainly proved over the past two years to be the best type of equipment in Gibraltar and we certainly would carry on with this specific type of equipment. Thank you, Sir.

HON P J ISOLA:

Mr Speaker, before the Minister sits down could he possibly tell us whether it is in fact the case that in England advice is being given now, the practice is to tell people when there is a fire, to close the door, call the Fire Brigade and get out?

HON DR R G VALARINO:

Mr Speaker, fortunately enough, I have never been involved in a fire in the United Kingdom. If Mr Isola has had the unfortunate experience of somebody, I am not going to say planting a bomb under his bed or whatever it is, I certainly do not know, but what I certainly know is that the quicker you can tackle the fire the better. The main fires in Gibraltar are cooking fires and this type of equipment that we suggest is ideal for this particular type of occurrence.

HON MAJOR R J PELIZA:

Would the Minister give way?

HON DR R G VALARINO:

Certainly.

HON MAJOR R J PELIZA:

The point is, Mr Speaker, that even on television in England they tell you that if it is a cooker fire you don't use the extinguisher. You use a blanket. Doesn't the Minister think that he should give instructions to every family in Gibraltar

how to tackle a fire before he gives them a fire extinguisher and become Fire Brigades themselves?

HON DR R G VALARINO:

Mr Speaker, Sir, the object of using a blanket is because the type of extinguisher is water driven and water tends to produce a high incidence of fire so therefore the easiest way would be to put a blanket over it.

HON J BOSSANO:

A wet blanket.

HON DR R G VALARINO:

The type of dry powder extinguishers that we have are the best that we can use for any burning oil or burning fat or anything of that nature but I was certainly not aware that Major Peliza was a cook in his spare time.

Mr Speaker then put the question and on a vote being taken the following Honourable Members voted in favour:

The Hon A J Cañepa
The Hon M K Featherstone
The Hon Sir Joshua Hassan
The Hon J B Perez
The Hon Dr R G Valarino
The Hon H J Zammit
The Hon D Hull
The Hon R G Wallace

The following Honourable Members voted against:

The Hon J Bossano
The Hon P J Isola
The Hon A T Loddo
The Hon Major R J Peliza
The Hon G T Restano
The Hon W T Scott

The following Honourable Members were absent from the Chamber:

The Hon I Abecasis
The Hon Major F J Dellipiani
The Hon A J Haynes

The Bill was read a second time.

HON DR R G VALARINO:

Sir, I beg to give notice that the Committee Stand and Third Reading of this Bill will be taken at a subsequent meeting of the House.

THE PUBLIC FINANCE (CONTROL AND AUDIT) (AMENDMENT)
ORDINANCE, 1981.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I have the honour to move that a Bill for an Ordinance to amend the Public Finance (Control and Audit) Ordinance, 1977 (No.9 of 1977) be read a first time.

Mr Speaker then put the question which was resolved in the affirmative and the Bill was read a first time.

SECOND READING.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I have the honour to move that the Bill be now read a second time. Over the last twelve months, the Treasury, the Principal Auditor and the Law Officers, have had under consideration a review of the machinery of the Public Finance (Control and Audit) Ordinance, 1977. Such reviews of machinery of ordinances are a normal feature of administration. However good an ordinance may appear when it is first drafted and presented to the House, inevitably, with the passage of time and experience, certain lacunae, areas of weakness and areas where improvement might be made, appear. The proposed amendment to the principal ordinance may be summarised as follows: First of all there are a number of minor drafting or clerical amendments which are set out in clauses 2, 3, 7, 9, 18 and 19 of the Bill. Secondly, the provisions relating to the guarantees are reviewed to provide that where the Financial and Development Secretary gives a guarantee under Section 9 of the Ordinance, a resolution of the House shall first be obtained for that purpose. This, Sir, is an important amendment because under the Ordinance as it now stands, the Financial and Development Secretary, in writing under his own hand, can give a guarantee involving a financial liability binding on the Government without first informing or seeking the approval of the House of Assembly. Now, to my mind, Sir, this procedure is not fully in accord with the financial proprieties of Parliamentary procedures, in other words, the Financial Secretary can commit the Government and the House to expenditure without seeking its approval. Under the new provisions, a guarantee may be given in accordance with the written law as at present, or a guarantee may be given by the Financial and Development Secretary pursuant to a resolution of the House of Assembly. There is, however, special provision to enable the Financial and Development Secretary to give guarantees in respect of supply of credit or extended credit agreements without prior resolution on the basis that the agreement and guarantees will subsequently be tabled in the House. This procedure, however, may only be used for services for which provision

has already been made in the estimates. In other words, if there is provision in the estimates for a project and it is to be financed by supplier finance, the Financial and Development Secretary can give a guarantee for that supplier finance supply but he must table the terms of the guarantee at the next meeting of the House. Clause 8 revises the provisions of the Ordinance covering the issue of Development Warrants of an expenditure for development projects which are urgently required and cannot be deferred without serious detriment to the public interest. Under the existing Section 30 of the Ordinance, the total of the sums that may be authorised in anticipation of a grant of an appropriation, may not exceed £20,000 or the estimated total cost of the development project of which the advance is made, whichever is the lesser amount. Under the new provisions, new projects for which amounts in the estimates already exist, the upper limit is increased to £100,000, or the actual total cost. For projects for which money has already been voted a limit of £30,000 or £10,000 of the estimated total cost for the balance required to complete as shown in the estimates, whichever is the greater, is provided. The provisions of the principal Ordinance relating to the Principal Auditor are also revised. The Principal Auditor's primary functions are laid down by Section 70 of the Constitution. We are advised that while there is nothing legally wrong with conferring by Ordinance additional functions, so long as these do not impinge on his constitutional functions, the law officers consider that some provisions in the principal ordinance merely repeat what is already in the Constitution and in some cases are inconsistent with them. Furthermore, the law officers advise that as a matter of practice it is undesirable to repeat constitutional provisions because apart from being superfluous, this can lead to misunderstanding. The opportunity has been taken to deal with the matters in this Bill in Clauses 11 to 17. Certain other minor but substantive amendments in the principal ordinance are also made. The Pilotage Fund is added to the list of those funds to which advances may be made without the need to recover such advance before the close of the financial year. The limit of £300,000 on such advances is removed. Sinking Funds for loan purposes are declared to be Special Funds. Because of the devolution of accounting responsibilities to controlling officers, the Accountant General's duty to check payment is restated as a duty to take "all reasonable steps" to do so. These amendments are to be found at Clauses 5, 6 and 10. Mr Speaker, Sir, as I said at the outset it is very much an administration Bill and I hope one which will improve the financial control both of this House, the Government and the Treasury over the expenditure of funds. Sir, I commend the Bill to the House.

Mr Speaker then invited discussion on the general principles and merits of the Bill. There being no response Mr Speaker then put the question which was resolved in the affirmative and the Bill was read a second time.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I beg to give notice that the Committee Stage and Third Reading of the Bill be taken at a subsequent meeting of the House.

THE SUPPLEMENTARY APPROPRIATION (1981/82)(NO.3) ORDINANCE, 1981.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I have the honour to move that the Bill for an Ordinance to appropriate further sums of money to the service of the year ending with the 31st day of March, 1982, be read a first time.

Mr Speaker then put the question which was resolved in the affirmative and the Bill was read a first time.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I have the honour to move that the Bill be now read a Second Time. The Bill seeks to appropriate in accordance with Section 65(3) of the Constitution, a further sum of £256,211 out of the Consolidated Fund. The purpose for which this sum is required are set out in Part I of the Schedule to the Bill and detailed in the Consolidated Fund Schedule of Supplementary Estimates No.3 of 1981/82, which I tabled at the commencement of this meeting. The Bill also seeks to appropriate, in accordance with Section 27 of the Public Finance (Control and Audit) Ordinance, the sum of £193,821 from the Improvement and Development Fund. The purposes for which this amount is required are set out in Part II of the Schedule to the Bill and are detailed in the Improvement and Development Fund Schedule of Supplementary Estimates No.3 of 1981/82 which I tabled at the commencement of this meeting. Sir, I would draw the attention of the House to two points only in the expenditure items. First £190,000 of the funds required out of the Consolidated Fund are to meet the cost of importing 20,000 tons of water from the United Kingdom. Secondly, £128,621 of the total amount sought under the Improvement and Development Fund is required for work at the Airport Terminal, £43,734 is a revote of money which was not spent in 1980/81 and £84,887 has been brought forward from 1982/83 because work at the Airport Terminal is proceeding faster than projected. Sir, I would like to give notice at this stage of the Bill of the Government's intention to move an amendment at Committee Stage to increase the provisions required from the Improvement and Development Fund by £60,000. This will be under Head 106, Potable Water Service. These funds are required to extend the reclamation adjacent to No.5 Jetty to site a new desalination plant. Mr Speaker, Sir I commend the Bill to the House.

Mr Speaker then invited discussions on the general principles and merits of the Bill. There being no response Mr Speaker then put the question which was resolved in the affirmative and the Bill was read a second time.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I beg to give notice at the Committee Stage and Third Reading of the Bill be taken at a later stage in the meeting.

This was agreed to.

COMMITTEE STAGE

HON ATTORNEY-GENERAL:

Sir, I have the honour to move that this House should resolve itself into Committee to consider the following Bills clause by clause: The House of Assembly (Eligibility of Public Officers) Bill, 1981; the Revised Edition of the Laws Bill, 1981; the Public Health (Amendment)(No.4) Bill, 1981 and the Supplementary Appropriation (1981/82)(No.3) Bill, 1981.

THE HOUSE OF ASSEMBLY (ELIGIBILITY OF PUBLIC OFFICERS) BILL, 1981

Clauses 1 to 6 were agreed to and stood part of the Bill.

The First Schedule was agreed to and stood part of the Bill.

HON P J ISOLA:

I beg to move that Clause 1 B of the Second Schedule, be amended by the addition of a new sub-paragraph as follows: "(XXVI) Unqualified, Qualified or Graduate Teacher (other than Head Teacher or Deputy Head Teacher)".

MR SPEAKER:

Do Members wish the amendment to be circulated or are they clear on the matter?

HON CHIEF MINISTER:

No, we know what it is.

HON P J ISOLA:

Mr Speaker, at the Second Reading of this Bill we had a lengthy debate, as we did on my own Private Members' Bill on eligibility, and the argument has eventually boiled down to whether the Government are for or against the teachers. I think that since the Second Reading, I don't know whether

the Teachers have had talks with the Government or not but it is quite clear now, whatever doubts there may have been at previous meetings when we have argued about this point, there is no doubt now that the Gibraltar Teachers' Association considers that to leave them out is an act of discrimination of the Government against them. That is, I suppose, the only new element in the argument that we now have the official union representing the teachers saying that this is an act of discrimination because the Government will not allow a teacher to stand and then be allowed to resign after elected although they are allowing a whole lot of other people to do so. Mr Speaker, I am not going to repeat all the arguments as to why teachers should be included in the Second Schedule. I think they must be very clear now in the minds of everybody. Basically, the principle is that the teacher is a valuable member of our community, is a highly qualified person and we should not deprive the people of Gibraltar of the opportunity of having teachers represented in this House. The record of teachers in this House has been very good, or ex-teachers, if I may put it that way, and in 1981 it is unfair and unjust on the part of the Government to expect a teacher to have to resign his job and take the risk of standing and not to give him the facility which it is now prepared in principle to give to a whole lot of other people of being able to stand for election and then if he is elected he resigns. No one is suggesting that he stays in. The Government has voted consistently against this reasoning and they have not given good or sound reasons, it has been a purely party political matter. The Government is determined as a party policy to prevent teachers from being able to stand for election. That is what has come out from the arguments we have had from time to time in this House on this issue. They just will not listen to reason on this, they have decided; "It is not a good thing to have teachers standing for election, this could be dangerous for us politically". And what we are saying is, Gibraltar needs a good cross-section of the people to be represented in this House and teachers have an important contribution to make to the political life of Gibraltar and we think it is basically wrong for Government to expect them to make sacrifices which they would probably not make themselves today if faced with them, so as to prevent them from standing for election. Mr Speaker, I commend the amendment to the House.

Mr Speaker proposed the question in the terms of the Honourable P J Isola's amendment.

HON CHIEF MINISTER:

Mr Speaker, I confirm that the Teachers' Association have made representations on two matters. First of all, on their right to be eligible for election without resigning and then on the way on which we should re-engage them. We have seen our way to meeting their request with regard to re-engagement

after doing four or eight years but we have not seen our way to meet the point of putting them on the Schedule as proposed in the Bill. The matter is a political one, but not for the purpose or the reasons stated by the Leader of the Opposition that we want to keep away people. We might have, equally, teachers at the next election who would aspire to become members of the party and candidates. The principle is a political one but a different one. I have explained it here and I have been explaining it many years, it is a traditional attitude of the AACR that they feel that this is not an area where there should be any special reason why they should be allowed whilst being in employment to have leave of absence to stand for election. Any teacher worth his salt who wants to go into politics can well afford to resign and then the conditions of re-instatement if not elected are likely to be very similar unless of course they have special posts. It is a political objection, but not for the reasons mentioned. In fact, we had objected long before my Honourable colleague here was a member of the AACR and we have always maintained a view which I think has already been explained far too many times to take time here now to discussing the merits because it is one of those which traditionally two sections of the community can have a different view for good reasons both of them but which they just don't match.

HON MAJOR R J PELIZA:

Mr Speaker, I think the Government seems to have been in the past, anyway, because we haven't heard any new argument today, basing its objections on the premise that a teacher, although he cannot influence Government policy, he could influence the children in the class. Then the other argument was that we were very keen on teachers because we had a particular person that was a candidate and we want him to stand. If I may take the second one first, Mr Speaker, that is absolutely absurd. We have been fighting this battle long before now and therefore this has nothing to do with any particular candidate. I thought in that respect it was rather bad debating on the part of the Government to mention names, I think we ought to try and avoid becoming personal.

MR SPEAKER:

That was another meeting.

HON MAJOR R J PELIZA:

Anyway, the other reason, which is the most important one, is that a teacher if he does ask for leave to stand for election, then simply by doing that he is going to change his personality and now, because he has done that, he is going to start influencing people. Surely, Mr Speaker, a person who identifies himself publicly with a particular political party is therefore in a much more difficult

situation to try and influence the classes that he is teaching and people around him at school because he can be immediately identified with a political party and, therefore, Mr Speaker, he is going to be very, very careful precisely not to do that. It is the other type who does not identify himself with a political party and may be working for a political party, clandestinely, who can influence the class and is much more likely to influence the classes because he cannot be identified with any political party. Every teacher, if he is an educationalist, has certain ideologies and in that respect nothing is going to stop him influencing right through whatever he may be teaching, whether it is mathematics, or whether it is geography, or whether it is history, or whether it is English, of his personality not reflecting his own particular ideas, and that is almost impossible to repress, Mr Speaker. The only thing is that the person who is identified with a political party becomes more conscious if we accept that he is becoming a politician professionally and when you are professional in anything I think then you go by certain conventions. The same happens to lawyers, Mr Speaker, it happens to doctors. We all know that once you acquire a profession of a kind you have a certain convention within you, the way you have been brought up, professionally so that you do know your lines of demarcation beyond which you will not go. In my view, Mr Speaker, if that is the only reason the Government are doing it worse by stopping the teachers from being able to stand for election. What is the difference of what the Chief Minister has said now and giving them the right to stand for election and then to re-engage, none whatsoever. He has almost given an undertaking in this House, if one can assume that this is an undertaking, and I suppose it is because he told the teachers themselves, he told the Teachers Association, that he could see no problem in re-engagement. If I am wrong in what I am saying, perhaps the Chief Minister should correct me.

HON CHIEF MINISTER:

There are two points that I should make clear. What we have undertaken formally is re-engagement on the terms on which they have asked for, after serving. What I have said is that it is not likely, having regard to the state of the profession and the time that is required particularly if the election is in the summer, it would hardly be difficult for them to obtain their job back. That is a different thing to the undertaking that I have given accepting their proposal on re-engagement after service, they are two different things.

HON MAJOR R J PELIZA:

I am a bit confused, I don't quite understand. As I see it, Mr Speaker, you have a teacher who stands for election. If he is not elected, obviously he resigns because there is no other way he can stand for election. He resigns and if he is not elected he will be re-engaged. That is what I understood.

HON CHIEF MINISTER:

He is likely to be re-engaged.

HON MAJOR R J PELIZA:

He is likely to be re-engaged.

HON CHIEF MINISTER:

The other one is that if he is elected and does a term or two and then resigns, he will be accepted, provided there is a vacancy, or course, at the stage at which they have asked for, they would be re-employed at Scale 1.

HON MAJOR R J PELIZA:

Well, Mr Speaker, I still don't understand what is the great difference between allowing this in an obviously proper manner, as it should be, the same as all the other civil servants who will be eligible to stand for election will get it and this particular difference to this particular set of civil servants to which obviously there cannot be any objection, absolutely no real objection to their standing for election to the extent the Chief Minister has said we will re-engage them if it is possible. I can't understand that. Obviously Mr Speaker, it is no good carrying on because I doubt whether I am making any impression at all on the Government but I am glad to see that there is now, I think, hope for those in the profession who if they really feel very strongly for politics they need not feel that everything will be lost for them and their family if they stand for election. In that respect, I welcome the change.

HON J BOSSANO:

Mr Speaker, I do not support the amendment because I do not support the Second Schedule, obviously, and in fact I am standing up simply to put on record the position which is well known to Members of the House. I said, in fact, at an earlier stage in the First Reading of the Bill that I would be moving an amendment but I think I would only be taking the time of the House up with something that the Government has made up its mind about and there really seems to be no point in just repeating arguments that have been already gone over again and again and again. The position of my Party is that we do not accept that people should be asked to resign even after election, never mind being asked to resign in order to stand and therefore whilst I take fully the argument that there seems to be no satisfying explanation why the teacher should resign and somebody else shouldn't have to resign until after he has been elected, the argument of the GTA that they are being picked out for special treatment seems to me a valid argument, nevertheless what the GTA is asking

for, as a Union, does not go far enough for us. We, as a party, believe that the First Schedule should cover the Gibraltar Government employees as well as covering the employees of the UK Departments and we believe that it is not up to the House of Assembly, I am not saying the House of Assembly has not got the power, I am saying that politically, it is unacceptable to us that we should be saying who can stand and who cannot stand in competition with us for this House of Assembly and where they can be employed and where they cannot be employed. As far as the Government as an employer is concerned, then it is up to the Government to negotiate with its different categories of employees, like the MOD will do because, in fact, the First Schedule, theoretically, allows anybody of any level but it is the employer who says to the employee: "Look, as far as I am concerned your political participation is going to be damaging to the requirement that I have that you do a job of work for me for which I am paying you". That is a matter for the relationship between the employer and the employee, whereas whenever we have discussed the situation we have been discussing it as politicians sort of laying down the rules for prospective politicians and we think that, in fact, the law should allow everybody to stand, the law should, if anything, contain protection for people. The MOD itself has made clear since we brought in the first amendment in 1976 allowing one category of public servants to stand, the MOD has laid down that people will have so many days a year of special leave to attend House of Assembly meetings, if they are in Opposition they can retain their job, if they are in Government they get unpaid leave with certain guarantees. These are things which have been offered, in fact, by the employer to its employees and we think that the model of the UK Departments should, in fact, be the sort of protection that anybody in any employment, whether in the Government or in the private sector, should be entitled to have as protection to enable him to exercise his civic and political rights to the rule. We think that one of the things that the law should be seeking to do is to protect people against pressure of unfair dismissal or pressure from employers because they exercise their political rights just like they are today protected for exercising their trade union rights.

HON CHIEF MINISTER:

If the Honourable Member will give way. I know that he is preaching a policy which is not acceptable in this case in either side, I think, but would the Honourable Member not agree that if you left it completely open it would lend itself to a considerable amount of industrial action because if in fact, say the Government, as an employer, would not be bound by law or rather the employee would not be bound by law but would be bound by regulations issued by the Government as the MOD are going to do and say that this body of people are not able to stand for election because they deal

with sensitive stuff or for whatever reason and then you make that rule, which is not like a law which is either changed here or not changed and then there was industrial action because somebody wanted to stand up for election, well, it wouldn't be industrial action but we know that we call industrial action a lot of things which are not industrial in order to bring pressure on the employer, and they would say: "Alright, we go slow, we come late, whatever it is. We black this thing, we black the other," in order to bring pressure to bear on the employer in this case, for example, the Government, because Mr X has not been allowed under the rules of the employer to stand for election.

HON J BOSSANO:

Mr Speaker, all I can say to the Chief Minister is that he knows very well that the Government has been discussing with unions limitations on Government employees as regards their second employment and as regards the right to have businesses. Clearly, the Government there is applying the principle that there can be a conflict of interest between what a Government employee does in the hours for which he is being paid and what he does outside those hours. I am saying that if the conflict is of that nature, in being in the House and being employed by Government, then that is the forum in which it should be treated and what I am saying is that the focus which has been constantly used in looking at this problem is that we are saying who is acceptable in the House of Assembly whereas, in fact, the argument has been who is acceptable as an employee given his other activities and whether those activities are membership of the House of Assembly or owning a business in Main Street or having a part-time job, I think there is a parallel in the criteria and certainly I would say to the Chief Minister that if he is talking about industrial action I can find very little argument why an industrial worker cannot be employed in the Government, in industrial employment, and sit on the Opposition.

HON CHIEF MINISTER:

I am afraid that I only asked that by way of illustration but I wasn't thinking of the industrial people. These days everything is called industrial action. I mean clerks, for example.

HON P J ISOLA:

Mr Speaker, this is a limited action. I do not think I shall deal with the arguments of the Honourable Mr Bossano because he hasn't got a hope in heaven of getting those principles accepted. On this one finds a bit of inconsistency in the Government's argument that they tell the teachers: "Look here, if you resign, you take the risk and you don't get elected, well, we will view with sympathy your re-engagement. If you resign and you get elected, then we are prepared to agree

re-engagement after a period of four years or eight years." Then what is stopping them from just going that little bit extra and saying that they do not have to resign. It must be political prejudice of some kind, Mr Speaker, it cannot be principle. After everything that has been said about teachers in this House we now find that the Government is telling them; "If you resign we will re-engage you, four years or eight years, if you resign and you get elected, we re-engage you".

HON CHIEF MINISTER:

I think you have got it wrong. What we say is, if you resign and you are away on a period or two periods of service, and you apply to be employed and you are employed, your Scale 1 will be preserved. That is what it means. That is, the status on which they are re-employed if there is a vacancy, there is no question of guaranteeing them employment. I am sorry you got it wrong.

HON P J ISOLA:

The impression I got from what the Chief Minister said was that they had agreed to re-engage them.

HON CHIEF MINISTER:

We have agreed on the terms they have asked for.

HON P J ISOLA:

Well, Mr Speaker, then of course there is nothing I have got to say. I don't agree with the arguments of the Chief Minister. I can't agree that if the Government will re-engage them if there is a vacancy or if they don't get elected they will take them back, from there to actually allowing them to stay in until elected, is such a small dividing line that as I say, it is just political prejudice, cussedness is the word which has been used. Mr Speaker, I commend the amendment to the House.

Mr Speaker then put the question and on a vote being taken the following Honourable Members voted in favour:-

The Hon P J Isola
The Hon A T Loddo
The Hon Major R J Peliza
The Hon G T Restano
The Hon W T Scott

The following Honourable Members voted against:

The Hon A J Canepa
The Hon M K Featherstone
The Hon Sir Joshua Hassan

The Hon J P Perez
The Hon Dr R G Valarino
The Hon H J Zammitt
The Hon D Hull
The Hon R J Wallace

The following Honourable Member abstained:

The Hon J Bossano

The following Honourable Members were absent from the Chamber:

The Hon I Abecasis
The Hon Major F J Dellipiani
The Hon A J Haynes

The amendment was accordingly defeated.

Mr Speaker then put the question in the terms of the Second Schedule and on a vote being taken the following Honourable Members voted in favour:

The Hon A J Canepa
The Hon M K Featherstone
The Hon Sir Joshua Hassan
The Hon P J Isola
The Hon A T Loddó
The Hon Major R J Peliza
The Hon J B Perez
The Hon G T Restano
The Hon W T Scott
The Hon Dr R G Valarino
The Hon H J Zammitt
The Hon D Hull
The Hon R J Wallace

The following Honourable Member voted against:

The Hon J Bossano

The following Honourable Members were absent from the Chamber:

The Hon I Abecasis
The Hon Major F J Dellipiani
The Hon A J Haynes

The Second Schedule stood part of the Bill

The Third Schedule was agreed to and stood part of the Bill.

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

THE REVISED EDITION OF THE LAWS BILL, 1981

Clauses 1 to 8 were agreed to and stood part of the Bill.

Clause 9.

HON ATTORNEY-GENERAL:

Mr Chairman, Honourable Members will remember that it was intimated at the Second Reading stage of this Bill that an amendment would be proposed to this Clause. The Clause deals with the formal copies of the laws which are to be kept, the bound copies. The Clause as drafted provides for four bound copies to be kept and I beg to move the following amendments to this Clause. In Clause 9 (1) to omit the word "four" and substitute the word "five" and in Clause 9 (2) to insert after the words "Chief Justice" the words "The Chief Minister". The effect of this will be to provide for five bound copies, one of which will be kept in the office of the Chief Minister.

Mr Speaker put the question in the terms of the Honourable the Attorney-General's amendment which was resolved in the affirmative and Clause 9, as amended was agreed to and stood part of the Bill.

Clauses 10 to 15 were agreed to and stood part of the Bill.

Schedule

HON ATTORNEY-GENERAL:

Mr Chairman, I beg to move that the Schedule be amended by inserting opposite the word "Schedule" the expression "Section 5 (1) (g)". Mr Chairman, would you wish me to read at this stage the other amendments?

MR SPEAKER:

Yes, I think that since they are amendments to the Schedule we should do the whole thing now.

HON ATTORNEY-GENERAL:

And further, to insert in their appropriate chronological order the following items, and to renumber the items in the Schedule accordingly. "Repatriation and Resettlement Ordinance (Chapter 140)". "Temporary and Emergency Laws Continuation Ordinance (Chapter 150)". Mr Chairman, speaking to the first point, this is merely a convention we have in the laws of identifying alongside the Schedule the sections to which it gives effect. It is purely a formal amendment. The more substantive amendment is to add to the Schedule two laws of Gibraltar. Members will recall that the Schedule specifies particular Ordinances which because of their limited duration or temporary nature, even though they are still legally in force, the Commissioner will be given power to omit from the reprint itself. It continues to be the law of Gibraltar, of

course, but he would not be obliged to include them in the reprint itself because of the infrequency with which they refer to and the antiquity, if you like, or the limited nature of their effect. It is proposed to add two items to this, the two I have mentioned, because they are both statutes which even though they are still in force, they are related to the situation that prevailed at the time of the evacuation and subsequent repatriation of people to Gibraltar. Sir, I move accordingly.

Mr Speaker proposed the question in the terms of the Honourable the Attorney-General's amendment.

HON P J ISOLA:

Mr Chairman, I would like to ask whether the Government should not consider asking the Commissioner, although the law will not provide for this, but generally to have a look and to take note of any laws that require amendment, apart from his job of revision. This is going to cost about £90,000, the revision of the laws and the publication, and there are in our law, I won't go to any particular one, but certainly the Merchant Shipping Acts are in a chaotic condition as far as the Gibraltar situation is, and I would have thought it would be useful to ask the Commissioner if he is going through all our laws, to have a look at, say, obvious laws that obviously require amendment. It can come to the House as a separate Bill before the printing but otherwise we are going to get a situation where we are going to get the laws revised, a new edition issued with a lot of laws already out of date and, therefore, I would ask although it is not provided for in the Ordinance, that authority should be given to the Commissioner to take a look at this.

HON ATTORNEY-GENERAL:

Mr Chairman, the Honourable and Learned Leader of the Opposition may recall, I think, that at the Second Reading stage the point was made that it was contended that the Commissioner should undertake a revision in the broader sense of the word and reasons were given then why it was not considered practicable to do so. The Commissioner will in fact be preparing and will be putting to the Government and the Government may therefore be introducing into the House a Law Revision Bill or Bills, but I would like to make it clear that this is not in any sense an extensive law revision, but certainly as he prepares the reprint if he sees matters which he feels should be dealt with and which involve substantive changes of law, then within reason he will be preparing a bill or I think, possibly, more than one bill and putting it to the House. It is hoped that the new format of having a loose leaf system will also facilitate the process after the reprint comes into force of replacing obsolete laws,

that is something that remains to be attended to but that is possible. We will not quite be in the same situation as if we were doing a bound reprint where you are stuck with the reprint or even, indeed, a bound reprint to the extent of being stapled, so it should be easier to update laws in that way. I do have to refer to one other matter, I think the Honourable and Learned Chief Minister did refer to it in the Second Reading debate and I am not sure whether I heard the Honourable and Learned Leader of the Opposition correctly, but the estimated cost of the reprint would be rather more than the amount which was mentioned.

HON CHIEF MINISTER:

I would just like to say that I fully support the view of the Leader of the Opposition about the revision. There are two classes, I think, which I am sure the Commissioner should look at. One are those which are not likely to be controversial but which are outdated because they have not been revised, such as the Merchant Shipping Ordinance which may have some, but in some sections the Merchant Shipping Act applies by reference. There are others which, of course, would require considerable amount of discussion before we know what we want. For example, the Land legislation is a very complicated one, but as Ordinances which are based on old Acts of Parliament and the changes that have taken place in England and Gibraltar are more or less the same, should be revised. I entirely agree with the Honourable the Leader of the Opposition and I think to the extent that it is possible this will be done.

Mr Speaker then put the question which was resolved in the affirmative and the Schedule, as amended, was agreed to and stood part of the Bill.

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

THE PUBLIC HEALTH (AMENDMENT) (NO.4) BILL, 1981

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

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

THE SUPPLEMENTARY APPROPRIATION (1981-82) (NO.3) BILL, 1981

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

Schedule

Consolidated Fund. Schedule of Supplementary Estimates No.3 of 1981/82.

Item 1. Head 2 - Customs was agreed to.

Item 2 Head 5 - Fire Service.

HON G T RESTANO:

Mr Chairman, can we have an explanation for the regular overtime for Fire Control Operators, the unscheduled overtime for those two items?

HON DR R G VALARINO:

(i) which is the regular overtime for the Fire Control Operators which is £12,100, was as a result of oversight and in fact no provision was included in the estimates for the overtime of Control Room Operators. Arrangements have been made to avoid a recurrence in the future. (ii) which is unscheduled overtime required for operational reasons, covers three subjects. The first one was that during the year several unexpected major breakdowns occurred in the fire fighting appliances as a result of which it was necessary for the MT staff to work overtime. Although provision for acting appointments was made in the estimates an officer who had previously been rejected for a course was later accepted and the consequent 13 weeks' acting appointment by another officer was not covered and thirdly as a result of the retirement of two officers, a recruit course which entailed four men had to be held to ensure that normal duties were not covered by on-call or overtime. As the House is aware, the minimal operational level of the duty watch is 30 men.

HON G T RESTANO:

£12,100, Mr Chairman, seems to be rather a large oversight. How did such a large oversight occur?

HON DR R G VALARINO:

With due respect, Mr Restano, the only oversight is (i) £12,100.

HON G T RESTANO:

That is precisely what I have said.

HON DR R G VALARINO:

As I have said before, arrangements have been made to avoid a recurrence in the future.

HON G T RESTANO:

Was this oversight on account of the accounting system which wasn't working properly, how did this come about?

HON DR R G VALARINO:

Mr Chairman, unfortunately, it was missed when the estimates were prepared.

Item 2, Head 5 - Fire Service was agreed to.

Item 3, Head 7 - House of Assembly was agreed to.

Item 4, Head 10 - Judicial (3) Magistrates and Coroner's Courts was agreed to.

Item 5, Head 13 - Law Officers was agreed to.

Item 6, Head 14 - Medical and Public Health was agreed to.

Item 7, Head 17 Post Office Savings Bank and Philatelic Bureau (1) Post Office and Savings Bank was agreed to.

Item 8, Head 19 - Public Works

HON W T SCOTT:

Mr Chairman, I have always been under the impression that a new project in a Development Aid Programme or in the Improvement and Development Fund, particularly if the help of consultants is solicited, normally comes under the Improvement and Development Fund. An example is the Girl's Comprehensive School where the consultancy fees there by the architects, the quantity surveyors and engineers come under the Improvement and Development Fund. Can I in the first instance ask why this consultancy fee of £15,000 appears in the Consolidated Fund and not in the Improvement and Development Fund?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, the reason is that this is work which should have been done by departmental structural engineers if we had sufficient, but we haven't, and therefore it is a right charge to go on the recurrent budget rather than on the Improvement and Development Fund. If it were a project like the school which was going out and we were bringing in consultants from the very beginning on the actual design etc., it would become part of the project and go in, it is a slightly technical point. But these are in lieu of staff that should be employed by PWD. You wouldn't expect to employ in PWD an expert in school architecture or building of schools.

HON W T SCOTT:

Is there any indication, Mr Speaker, that the Public Works Department will continue to find itself because of the workload that might be expected from it in structural engineering in the future, that this is likely to occur again?

HON M K FEATHERSTONE:

Part of the reason why this one has occurred is that we want to get Engineer House project off the ground as quickly as possible. If we could set it back six months then, perhaps, our own structural engineer could have done it. In the short term sometimes it is necessary, under normal circumstances it isn't.

HON W T SCOTT:

Mr Chairman, I was really looking to a situation where if this should continue, whether perhaps another structural engineer should not have been employed by the PWD.

HON M K FEATHERSTONE:

If it were to continue then I would possibly be coming to Government for another member of the staff.

Item 8, Head 19 - Public Works was agreed to.

Item 9, Head 20 - Public Works Annually Recurrent.

HON P J ISOLA:

We have voted £500,000 this year and we are now being asked for another £190,000. Am I right in assuming that the total cost of imported water is now likely to be £690,000, is that the position?

HON CHIEF MINISTER:

Overall, yes.

HON P J ISOLA:

Overall it is expected to be that?

HON CHIEF MINISTER:

That is right.

Item 9, Head 20 - Public Works Annually Recurrent was agreed to.

Item 10, Head 22 - Secretariat.

HON P J ISOLA:

Could I just ask what is controlled overtime?

HON CHIEF MINISTER:

Sir, I think I can say something about this. The point is that there is little overtime except for one or two sections which require work continuously. There is a ban virtually on all overtime but the recent re-organisation of the whole structure has shown that there has been considerable backlog of work and the re-arrangement of the staff are such that they will be able to produce work but the arrears of work are not going to catch up unless overtime is worked. It is controlled in the sense that it is to do specific work over a very limited period.

Item 10, Head 22 - Secretariat was agreed to.

Item 11, Head 26 - Treasury was agreed to.

Schedule of Supplementary Estimates Consolidated Fund (No.3 of 1981/82) was agreed to.

Improvement and Development Fund. Schedule of Supplementary Estimates No.3 of 1981/82.

Item 1, Head 101 - Housing was agreed to.

Item 2, Head 103 - Tourist Development.

HON W T SCOTT:

Mr Chairman, the remarks set against the Airport extension. That presumably means that we can expect a completion earlier than that originally envisaged and if so, can we have the new target date, please?

HON M K FEATHERSTONE:

Well, Sir, we had hoped that we would be finished by some time in June next year. I am not sure whether they will improve too greatly on that. The thing is that some of the work can go faster, the steel work etc., the finalising may take longer. I would hope, perhaps, we would come forward by one or two months.

Item 2, Head 103 - Tourist Development was agreed to.

Item 3, Head 105 - General Services.

HON W T SCOTT:

Mr Chairman, is this salt water pump in Gibraltar? Is the pump here?

HON M K FEATHERSTONE:

It is due to arrive in January.

HON W T SCOTT:

The second sentence in the remarks column says: "The pump will accelerate the watering of the grounds and allow greater use of the Stadium". Presumably there I understand that if, for example, in the weekend at hockey where I think at the moment it is only three allocations that are given per day, are we to assume that these will be increased?

HON H J ZAKKITT:

Sir, the reason is not just for weekends. It is that the salt water pressure at the Stadium is very low especially during weekdays at particular periods and it takes too long to water all the area of the nortex and therefore the school-children in particular suffer the consequences of not being able to use the grounds. It is hoped that with the booster pump which we hope to instal, the time factor of watering the Stadium will be reduced greatly and therefore allow more playing facility to education primarily but, of course, it will obviously alleviate the allocations at weekends and the like.

HON P J ISOLA:

Has this anything to do with the smell there is around that drain in that particular part of the Stadium. It always smells down there.

HON H J ZAKKITT:

No, there is a main sewer pump in that area.

HON P J ISOLA:

Well, every Saturday I walk past and nine Saturdays out of ten there is an awful smell in that area.

HON H J ZAKKITT:

We will try and encourage the Honourable Member to run round the Stadium, probably if he runs he won't smell it so much.

Item 3, Head 105 - General Services was agreed to.

HON M K FEATHERSTONE:

Sir, I beg to move that a new item be added as follows: "Head 106 - Potable Water £60,000". This is for reclamation works and diversion of existing pipework for the new distiller. The basic idea of this, Sir, is that we intend to put a new distiller at the Viaduct area but to do this we have to reclaim a certain amount of land and at the same time the pipework for the VTE distiller which at the moment discharges

into where this land is going to be reclaimed, will have to be moved across the actual road and discharged on the other side of the road. The pipework will not be futile because it will also be available for the new distiller when it is actually erected so we kill two birds with one stone, Sir.

HON J BOSSANO:

Wasn't there a Government plan to make use of waste heat from the new generating station for this desalination? Is this part of it? Is this in fact connected with the use of waste heat from the new generating station which the Government, I think, indicated at one stage would form part of their plans for a new distiller?

HON M K FEATHERSTONE:

Yes, Sir, the waste heat from the generating station will be used in this new distiller.

Mr Speaker then put the question in the terms of the Honourable M K Featherstone's amendment which was resolved in the affirmative and the new item was accordingly agreed to.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Chairman, Sir, I beg to move that the following item be inserted in Part II of the Schedule: "Head 106 Potable Water - £60,000," that the sum total be amended from £193,821 to £253,821.

Mr Speaker put the question in the terms of the Honourable Financial and Development Secretary's amendment which was resolved in the affirmative and the Schedule, as amended, was agreed to and stood part of the Bill.

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

Clause 3.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I beg to move an amendment in the penultimate and last line in Clause 3, that the words "one hundred and ninety-three thousand eight hundred and twenty-one pounds" be deleted and that the words "two hundred and fifty-three thousand eight hundred and twenty-one pounds" be substituted.

Mr Speaker put the question in the terms of the Honourable Financial and Development Secretary's amendment which was resolved in the affirmative and Clause 3, as amended was agreed to and stood part of the Bill.

Clause 4.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Chairman, Sir, I beg to move that in Clause 4(2) in the second and third line thereof, the words "one hundred and ninety three thousand eight hundred and twenty one pounds" be deleted and the words "two hundred and fifty three thousand eight hundred and twenty one pounds" be substituted therefor.

Mr Speaker then put the question in the terms of the Honourable the Financial and Development Secretary's amendment which was resolved in the affirmative and Clause 4, as amended, was agreed to and stood part of the Bill.

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

THIRD READING

HON ATTORNEY GENERAL:

Sir, I have the honour to report that the House of Assembly (Eligibility of Public Officers) Bill, 1981; the Revised Edition of the Laws Bill, 1981; the Public Health (Amendment) (No.4) Bill, 1981, and the Supplementary Appropriation (1981/82) (No.3) Bill, 1981, have been considered in Committee and agreed to, in the case of the Revised Edition of the Laws Bill, 1981, and the Supplementary Appropriation (1981/82) (No.3) Bill 1981, with amendments, and in the other cases without amendments, and I now move that they be read a third time and passed.

Mr Speaker put the question and on a vote being taken on the House of Assembly (Eligibility of Public Officers) Bill, 1981; the Revised Edition of the Laws Bill, 1981, and the Supplementary Appropriation (1981/82) (No.3) Bill, 1981, the question was resolved in the affirmative.

On a vote being taken on the Public Health (Amendment) (No.4) Bill, 1981, the following Honourable Members voted in favour:

The Hon A J Canepa
The Hon K K Featherstone
The Hon Sir Joshua Hassan
The Hon J B Perez
The Hon Dr R G Valarino
The Hon H J Zammit
The Hon D Hull
The Hon R G Wallace

The following Honourable Members voted against:

The Hon J Bossano
The Hon P J Isola
The Hon A T Loddo
The Hon Major R J Peliza
The Hon G T Restano
The Hon W T Scott

The following Honourable Members were absent from the Chamber:

The Hon I Abecasis
The Hon Major F J Dellipiani
The Hon A J Haynes

The Bills were read a third time and passed.

The House recessed at 9.05 p.m.

FRIDAY THE 18TH DECEMBER, 1981

The House resumed at 10.40 a.m.

PRIVATE MEMBERS' MOTIONS

HON J BOSSANO:

Mr Speaker, I beg to move that: "This House condemns the proposed closure of Her Majesty's Naval Dockyard in 1983 and fully endorses the decision by Dockyard employees and the Trade Union movement to fight the closure". Mr Speaker, the motion that I bring to the House has got a clear and specific purpose. It does not seek to analyse the consequences of the decision taken by the British Government or the motives behind that decision, although I shall be making slight reference to that in the context of asking for the support of the House, because I think, that that is the sort of phrasiology that the situation requires. It condemns the closure because that is the reaction of the people of Gibraltar to the news and that is the reaction of the people who are under threat of loss of jobs, having served faithfully the Ministry of Defence in Gibraltar whenever they have been called upon to do so. I don't think that Gibraltar can gain anything any more by attempting to water down the strength of feeling that it has on this issue as it has done on other occasions, with the Foreign Affairs Committee Report, and other motions that I have brought to this House where I have been told that although everybody agreed with the sentiments I was expressing it should be reflected in motions which in my humble estimation at the end of the day, except for the first two words in the motion, have borne no resemblance to what I was moving initially. Therefore, I would call on the House to join me in passing the motion as it stands and in endorsing the position of Trade Union members inside the Dockyard, outside the Dockyard and in the United Kingdom, to fight the closure, that is, to get the decision to close reversed. I am not asking at this stage, anyway, Members of the House to come out on strike in solidarity with the workers outside. That may have to come at a later stage in this saga, Mr Speaker. At this stage, all I am asking them to do is to identify themselves with the feeling of the people of Gibraltar that they represent, that I represent, that we all represent. I think we are privileged in being

Members of the House of Assembly, not because we have a status or a social standing that puts us above the rest, but because we have a responsibility to reflect the demands of the people of Gibraltar in the terms that those demands are felt by the people themselves. The Gibraltar Trades Council has got seven and a half thousand members in its unions and that is virtually every household in Gibraltar. The Gibraltar Trades Council does not speak on political issues but it is speaking on an industrial issue which goes to the very root of Gibraltar's survival and we in the House of Assembly cannot stand on one side and fail to identify ourselves with that struggle. The Dockyard employees themselves, and it is a matter that I wish to make clear, the Dockyard employees themselves are in a situation of dispute with their own employer, the same as any other group of employees would be in that sort of situation under the threat of redundancy and they are entitled in that sort of situation to use the means at their disposal as trade unionists, the freedom that they have under the Constitution of Gibraltar, to protect their rights as workers but, of course, the reason why this particular struggle has got the support of the whole Trade Union movement of Gibraltar and the support of the Trade Union movement of the United Kingdom is because everybody appreciates that the numbers of people involved, the numbers of people at risk, the importance of the Naval Dockyard in the economy of Gibraltar, which stems from the fact that it is a defence economy, means that the people at risk are not just those directly under threat of unemployment, that the repercussions of the loss of their purchasing power in the economy of Gibraltar is such that there is no single household, no single person that can honestly say that he will not be affected by this issue. The Unions have made clear, when the announcement was made, that as far as they are concerned when one talks about a viable alternative, in Trade Union Terms, the only alternative that is viable is one that protects the standard of living of the people at present employed in the Naval Dockyard. One needs to make a fine distinction there because when one is talking about viability in the context of the proposition that the Naval Dockyard should be replaced by a commercial Dockyard, one has got to distinguish between a commercial operation that is viable in its own right, that it is an operation that will make a profit for the operator, but at the expense of a drop in the standard of living of the people who are employed in the Dockyard today and in the rest of the public sector and that is viable from the point of view of the operator but it is not viable from the point of view of the working class of Gibraltar and from the point of view of the economy of Gibraltar. The reality, Mr Speaker, is that we have got a Defence economy, not because we have chosen to have a Defence economy in Gibraltar but because it has suited successive British Governments because it has been in the interest of Britain and it has been in the interest of Western Europe and what we cannot have is the security

and the standard of living of our people, a standard of living that was achieved after a four-year struggle by the Trade Union movement in Gibraltar, taken away from us at a stroke of a pen by a policy decision of a Government which we have not elected. Gibraltar is a British Colony and we are suffering the consequences of the policies of the Conservative Government in the United Kingdom but we had no part in putting that Government into power and that is an important distinction because if people in Gibraltar find that the policies of the existing Government are unacceptable, at any point in time, they have the opportunity when the time comes to show their discontent by replacing the Government. The British Government has got a responsibility for Gibraltar as a Colony and they cannot shirk that responsibility and retain in Gibraltar the overruling power of a colonial administration which they still have. They cannot state, as the Deputy Governor said in the speech to the apprentices, that nobody owes Gibraltar a living any more than Korea, Malta or Singapore when Korea, Malta and Singapore are independent nations who are free to do what they like. The responsibility, to my mind, lies fairly and squarely with the British Government and it must be made clear to the British Government that even if the Gibraltar Government is constrained by the fact that it is in Government in what it can do or cannot do, the Trade Union movement is not suffering from the same constraint and the Trade Union movement will not co-operate in something that does not produce or continue to produce what we have obtained up till now. Mr Speaker, I have no doubt in my own mind that the way the matter has been presented to the people of Gibraltar since the White Paper was published, was an attempt to slip the decision through to introduce the closure of the Dockyard with as little come-back as possible, and that therefore it has been paraphrased, it has been conditioned, it has been explained away, we have been told that this is a great challenge, that this is a great opportunity, that this can open new vistas and new panoramas. Yes, they can, they can open vistas for us of massive unemployment which we have never had in Gibraltar. They can open vistas for us of a drop in the standard of living like we have never had before. It is not good enough for the British Government to tell us in Gibraltar that they have got serious economic problems in the United Kingdom and that consequently we must accept a drop in our standard of living and we must accept the imposition of cuts in Gibraltar. First of all, as far as I am concerned, Mr Speaker, the problems that are being suffered by the British economy and by working people in the United Kingdom are of the making of the present Government. They are not accidents. Secondly, Mr Speaker, having achieved parity with the United Kingdom, having placed the people of Gibraltar on a par with the United Kingdom, we are now in a situation of taking the good and the bad, we are now in a situation of in fact having cuts in our standards of living as a natural consequence of parity. When the pay review gave people an 18% increase, with a 12% inflation rate, their standard of living

went up by 6% and when the pay review gave them 7% with a 12% inflation their standards of living went down by 5%. There is no way that the British Government can tell us that we are not accepting the same level of progress in our standard of living or reduction in our standard of living as they are imposing in the United Kingdom because that is a natural consequence of the parity arrangement. But if Gibraltar is being asked to stand on its feet then there is no reason why we should accept the limitations on the standard of living imposed in the United Kingdom by the United Kingdom Government but nor can we be expected to try and make Gibraltar self-sufficient on the bits and pieces of the land of Gibraltar that the FOD at any particular time in its wisdom decides it no longer requires. The Trade Union fight is a clearcut fight, it is a fight for jobs, it is a fight in defence of the standard of living. I am talking in this House as a politician and spelling out what I consider to be the magnitude and the depth of the political alternatives. I do not accept that it is a question of either a commercial Dockyard or a defence Dockyard, whether we are talking about a defence economy or another type of economy, and if we are talking about that alteration in the way we do things in Gibraltar that is not something that can be done overnight and it cannot be done by somebody deciding in the Ministry of Defence: "Well, I have got to produce a cut of so many million pounds, I will make a million out of closing the Gibraltar Airport and I will make £100,000 out of closing the Chart Depot, and so on". It cannot be done like that. The Trade Union movement is absolutely clear in what it has to do, and it will do it. The Gibraltar House of Assembly, on this issue, cannot stand on one side. I am glad that it has now been made absolutely clear, no doubt the British Government would wish it were otherwise, because I think it is convenient, very convenient for the British Government, to be able to pass the buck on to Gibraltar, to pass the buck to the Gibraltar Government when they come under attack in the United Kingdom for the decisions they are taking about Gibraltar, and no doubt it is a great disappointment to them that it has now been made absolutely clear that the Gibraltar Government is not asking for the commercialisation of the Dockyard, is not proposing that the Dockyard should be commercialised, all that it is doing is looking at an alternative that it does not want in case it has no choice but to accept it. Therefore, the British Government has got absolutely no right to try and wriggle out of their responsibility in the House of Commons when they are faced by questions by saying: "Well, you know, we are in full consultation with the Gibraltar Government and the Gibraltar Government is quite happy about the situation". The Gibraltar Government is not happy, the House of Assembly is not happy and the people of Gibraltar are not happy and that must be made absolutely clear to people in the United Kingdom and to the British Government itself. I must say, Mr Speaker, that I cannot continue to see the British Government and its

intentions on Gibraltar in the same light as the Chief Minister does or as most of us have seen it in the past. Not, to be quite honest with this House, that I ever had much trust in the present British Government. Notwithstanding that, precisely because within Conservative benches Gibraltar enjoys a lot of support, I thought that in some respects it would be more difficult to convince a labour administration on some occasions of the need to have a continuing commitment to Gibraltar than it would a Conservative administration. I have now come to the stage, Mr Speaker, where I tend to scrutinise everything that is said and look at every fullstop and every comma. And for me, the assurance that the Chief Minister mentioned that the British Government would be sympathetic and fair to Gibraltar, has to be qualified by what the British Government understands by being sympathetic and fair. If all that we can expect is that they are sympathetic and fair to the Trade Union movement or to working people in Gibraltar as they are being at present to people in Portsmouth and in Chatham and in the rest of the United Kingdom, then I am afraid that does not qualify for the use of those adjectives in my estimation and I am sure in the estimation of the people who today are outside to lobby this House of Assembly for support on what is really the crunch for Gibraltar. I think that we have had, on many occasions, ideas floated suggesting that the British Government was seeking a disengagement from the commitment that it has to Gibraltar and its people. The clearest indication that there might be some truth in such a view has been the way this thing has been handled since the White Paper and therefore I don't think that we can continue with a policy of appeasement, where we qualify everything we have to say, we water down the words we use in order not to give offence to the extent that they cease to have any meaning. I think the time has come for plain speaking in Gibraltar, Mr Speaker, and let nobody mistake what I am saying. Let nobody try and twist that into a situation of appealing to the unquestioned loyalty that the people of Gibraltar have shown to the United Kingdom because that is not what we are talking about. The people of Gibraltar are linked to the United Kingdom by a historical and cultural heritage which spans the whole of its society and it spans one of the main pillars of Gibraltar society today which is a solid and well organised Trade Union movement which can act jointly in defence of the interests of working people and of the whole of Gibraltar and which has got deep rooted links with the United Kingdom Trade Union movement and can call on help there. So if the Trade Union movement is talking about fighting the closure, we are not talking about fighting the United Kingdom because we have got friends in the Trade Union movement in the United Kingdom who will be joining us in that fight and nobody can accuse the IPCS, the CPSA, the SCPS and the Transport and General Workers Union Head Offices of conducting an anti-British campaign. Therefore, Mr Speaker, I commend the motion to the House and I ask Members of the

House at this important and crucial juncture in Gibraltar's history, to identify themselves fully with the struggle of the people of Gibraltar for what is effectively, in my judgement, their survival.

Mr Speaker proposed the question in the terms of the Honourable J Bossano's motion.

HON CHIEF MINISTER:

Mr Speaker, it is my duty as Leader of the House to reply in the first place to the Honourable Member and to say that I think that having regard to the events yesterday and the report I made to the House on my meeting in London, that there is very little that he has said with which I can quarrel. The passion that he has described I can well understand, and when the time comes one can also be able to harness passion such as that. I am afraid that the reality of things when you talk to British Ministers, you can talk strongly, you can talk firmly, you can tell them what you propose to do, but, really, the Honourable Member well knows passions then do not play a great part. In fact, it could mar the effect of the motives and the reasons that are given in a given situation. I am quite satisfied and I am quite happy in my own mind that in my own way I have represented the views of the people of Gibraltar, and in particular of the Trade Union movement, to the Secretary of State, to the Lord Privy Seal, to the Minister for Defence, in the way that Mr Bossano would have expressed them insofar as force is concerned, perhaps the language might have been slightly different but there it is a matter of approach and that should not be a subject to divide us. It is a fact that the closing of the Dockyard is a major disaster for Gibraltar if it is carried out as intended by 1983. It will be a very big factor in any case but, certainly, if the present proposals were to be carried out that would be a great detriment to the prosperity of Gibraltar. I think it would be in accordance with Parliamentary practice that those who move motions should be here to answer them and to listen to what is said and not just give an idea and then go out and address the crowd. I think it would be better in terms of Parliamentary practice if we were all here to discuss what we are doing and not play to the gallery. The principle on which I am standing now is, the same, whether Mr Bossano listens to it or not, because Mr Bossano, after all, is here representing his political party. He happens to be a Trade Union leader, and naturally he feels that very strongly, but he is here as one of fifteen Members who have each one fifteenth of the responsibility for the welfare of the people of Gibraltar and that in no way minimises the importance of the matter that we are dealing with. Mr Bossano has said that in the past, motions have been watered down and motions have not carried the language that he has brought. Well, maybe that is true, maybe as he is perfectly right to produce a motion on his own, without prior consultation, I am sure that he knows that the other Members of the

House are equally perfectly right to have a different approach to the matter because there are other people here who have views on matters of this nature. As I was saying before, the matters were put straight to the Secretary of State and before I did that I had a request from the Assistant General Secretary of the Transport and General Workers Union when he visited Gibraltar, Mr Alec Kitson, to join him in the political struggle to try and keep the Dockyard open. I say this because I readily agreed, I made a point and the Honourable Member was present in another capacity, that of course we were prepared to support him politically but that there was no question of our taking part as a Government in supporting him on any industrial action and his answer was: "Who is talking about industrial action?". That was what he said and that I said was very satisfactory and on that basis I saw him in London before I saw the Secretary of State on the Sunday and I saw him after I saw the Secretary of State on the Monday. We were going to meet early on Tuesday to wind up but unfortunately he was taken up by something which prevented him from attending a meeting we had arranged at 9.30 before I flew back to Gibraltar. It is on that basis that we fully support the Trade Union movement. There are two aspects that the Gibraltar Government has in this respect. One is looking at its responsibilities as a Government as to what it has to do in certain circumstances and I am glad that the Honourable Member now understands the attitude of the people of Gibraltar. I am afraid, Mr Speaker, that with the noise going on outside, this is going to be very difficult.

MR SPEAKER:

I have been enquiring and I understand that what is happening now is that the crowd is being asked to disperse. Perhaps we will have a short recess.

The House recessed at 11.10 a.m.

The House resumed at 11.50 a.m.

HON CHIEF MINISTER:

Mr Speaker, when I asked at the same time as you yourself thought we ought to recess, I was expressing my entire agreement with the sentiments expressed in this House by Mr Bossano on this question of the closure of the Dockyard and in the course of his intervention, he was talking about the fact that we did not elect the British Government, we could not remove the British Government. That is perfectly true and it is true that in England even the great Trade Union movement have not, or part of it have elected the British Government but they find now that they cannot remove the British Government. When we were elected to this House, we were elected to carry out our duties without

intimidation or without any attempt at colouring our views so that we could express our views in such a manner without any attempt or apparent attempt at intimidation. Apart from the very great principle that we are discussing about the future of the people of Gibraltar, I think that we must not forget the principles of democracy in Gibraltar and I hope that this is not a pattern of things to happen in the way in which the conduct of the House is going to be carried out by having crowds outside being addressed at the same time as we are addressing the House in matters that concern Gibraltar.

MR SPEAKER:

I have had a word with Mr Bossano, I had a word with you and with Mr Isola. I know what you are going to refer to and in order to, perhaps, put the matter in its right perspective and to give it its importance, I shall read what Erskine May says on the matter.

HON CHIEF MINISTER:

I would like to pursue that after, if I may.

MR SPEAKER:

Most certainly. Gentlemen, under the heading "Breaches of Privilege and Contempt" and under the general heading "Contempt in General", Erskine May says as follows: "It would be vain to attempt an enumeration of every act which might be construed into a contempt, the power to punish for contempt being in its nature discretionary. Certain principles may, however, be collected from the Journals which will serve as general declarations of the law of Parliament. It may be stated generally that any act or omission which obstructs or impedes either House of Parliament in the performance of its functions, or which obstructs or impedes any member or officer of such House in the discharge of his duty, or which has a tendency, directly or indirectly, to produce such results may be treated as a contempt even though there is no precedent of the offence".

HON CHIEF MINISTER:

That was the matter that I was going to quote from my older edition of Erskine May but I think the text is exactly the same.

MR SPEAKER:

Yes, it is.

HON CHIEF MINISTER:

I think we are talking about rights of people. We are talking about the rights of the Gibraltarian to fight against the closure of the Dockyard, we must also talk about the

rights of the people of Gibraltar to their elected representatives to be able to address the House without intimidation. This is what I think we must continue to do and resist any other attempt. It may not have been meant to be intimidation, it may be that the pattern in England, where huge numbers of people are allowed to go into the Palace of Westminster and lobby Members while the House is quietly going on with its business, cannot be reproduced in Gibraltar because the physical situation of this building doesn't lend itself but, certainly, it is impossible to carry out our duties to the electorate and the House is made up of fifteen elected Members, one of whom is Mr Bossano, but there are another fourteen whose right to speak freely and without intimidation are as sacrosanct as those of Mr Bossano to defend the Trade Union movement. I hope that this will be seen in the spirit in which it is said, not in any hostility towards either the subject that we are discussing which is of the utmost importance, nor of the right of the Trade Union movement to fight their fight in the proper way. I did, as a matter of courtesy, indicate to the Honourable Member as he came in what my proposal was and I want to make it quite clear that nothing that the Honourable Member has said addressing a crowd trying to minimise that is going to stop me from carrying out my duties in the best way I think. It will be a very sad day if every time we came here we had to be waiting for a crowd there to intimidate the way in which we have to carry out our business. That will be the end of Gibraltar.

HON P J ISOLA:

If the Honourable the Chief Minister will give way just one second for me. As we are talking about a subject that is very important, Mr Speaker, I would like to intervene at this stage to say that on this side of the House we support the sentiments that have been expressed by the Honourable and Learned Chief Minister on the right of the elected representatives of the people of Gibraltar to be able to meet and discuss matters of major importance to everybody in Gibraltar without any attempts at influencing us, intimidating us, or in any way trying to force us into coming to conclusions with which, perhaps, our consciences do not agree or agree, it would be a very sad day for Gibraltar if the general public of Gibraltar were to feel that we have voted in favour of Mr Bossano's motion because he has brought his battalions in to force us to vote.

At this stage the proceedings were interrupted as a result of an intervention from the Press Bench by Mr Michael Feetham.

MR SPEAKER:

Order, order. Constable, will you see that Mr Feetham is taken out of the House.

HON P J ISOLA:

It would be a very sad day for Gibraltar if that occurred, Mr Speaker, and I do hope that the Honourable Mr Bossano would take an early opportunity of telling the House that the people who came up and demonstrated were there merely to express their feelings on the subject, express how they feel on the subject, and not there in any way to force this House to come to conclusions to which it may or may not agree. Thank you Mr Speaker.

HON J BOSSANO:

If I can just take up the point the Honourable Member has made. In fact, I don't know whether he overheard what I had to say outside but I did say outside that no doubt someone would wish to misconstrue their presence there as an attempt to intimidate Members of the House. I was talking in Spanish downstairs, of course, so that people can understand what it is all about because a great many people are never present in the House of Assembly, never understand what it is all about, don't understand all the business of rules and regulations and procedures, but I think people understood quite clearly what they were there for and, as far I am concerned, what the people were doing downstairs was absolutely no different from what I did when I was in London with the Honourable Leader of the Opposition and the Chief Minister in the House of Commons on the Nationality Bill and I joined a lobby of five thousand workers from Chatham and Portsmouth who were doing precisely the same thing to try and influence a decision of the House of Commons and they are perfectly entitled, apparently, under the UK system to try and influence the decisions of the House. This is what people are trying to do here, they are trying to influence the decision of the House on a motion that specifically asks for identification with the Trade Union movement and that is why the Trade Union movement is lobbying the House of Assembly. If the House was to say additionally anything else, that is the privilege of the House to do so but what the motion seeks is clearly a matter of concern to the Trade Union movement because it makes specific mention of them. That is why they are doing the lobbying.

HON CHIEF MINISTER:

Mr Speaker, I anticipated that because I was there and he was there. I said that the Palace of Westminster is a huge place and each Member of Parliament can take four, five or six hundred lobbyists into a corner and listen to what they have to say, others into other inside rooms, and the House itself is carrying on its business and the influence is to the individual Members on arguments and then the business of the House carries on and is not molested or interfered with by loudspeakers or by anything else that will in any way affect

the way in which they carry out their work. The attempt at persuading people, which is what lobbying is all about, is one thing and unfortunately what we have had this morning is another. That in no way affects the substance of the matter which is the closing of the Dockyard but it is, I hope, something that if the idea of lobbying because it is done in England in that way, is intended to be carried on in the future in this way in matters of importance, I will then ask the Trade Union movement generally to consider whether they can expect a fair and proper hearing, they can expect their elected representatives, because fifteen people must have been elected by a considerable number of Trade Unionists and not just Mr Bossano alone, whether we can carry out the functions that we were elected to carry out without intimidation in a situation such as has happened today. It is not a happy day for democracy in Gibraltar but it is perhaps one which we can wear as an example of what ought not to happen in the future in this matter. Today is a matter on which we are virtually agreed. Perhaps we are not agreed on the wording, perhaps other people don't understand the wording. That is a different matter. But that is one thing and attempting to pressurise and, in fact, if ever there was a case in which there was no need for a lobby it was in this case because we spent most of yesterday morning debating the matter and I answered questions in a proper way and there were supplementaries in a proper way from the Honourable Mr Bossano and the business of the House was done in the usual way. Mr Speaker, as I was saying earlier this morning, when I met Mr Kitson he asked for the support of the Gibraltar Government in an attempt at political action in the United Kingdom by all the trade unions. I readily agreed and as I was saying and I think it ought to be mentioned again I said that, of course, we could not be party to any action taken by the Union of an industrial nature to which he replied: "who is talking about industrial action?". The Honourable Member assented that that had happened at the meeting with Mr Kitson. It is on that understanding that we are supporting the all-party approach that the trade union movement in the United Kingdom is doing and it is on that understanding that I saw Mr Kitson and Mr Mick Martin on Sunday and on Monday evening with the shadow Minister for Defence, Mr John Silkin and the Chairman of the Labour Party, Dame Judith Hart. I think that ought to be made very clear because we must not fall into the trap precisely of doing something that those who do not like us, and we have a lot of friends in England but let it be said also that there are some who are not our friends as we saw on Spanish television last night, the Chairman of the Foreign Affairs Committee of the House of Commons. If he has said what he said on Spanish television in Gibraltar he would have been hounded better than what has happened here this morning. He said that we were Spanish before the restrictions started. Who the hell is Anthony Kershaw to say that? If we are to keep together in difficult times we have got to soften

corners of our differences rather than accentuate them: to get cut in the process and it is in that spirit, having forgotten what has happened now, that I propose to continue in my intervention. Mr Speaker, the Honourable Member has said that it is now clear that the Gibraltar Government has not suggested commercialisation of the Dockyard. Of course, it hasn't, it never did and it came out clearly in answers yesterday that the idea had come for the consultancy that had been suggested by the CDA after the publication of the White Paper to consider alternative means. I should like to say that when in 1977, as I said yesterday, there was a Labour Government in office and there was a decision to close the Dockyard on economic grounds, not on defence grounds but on economic grounds and I did my best to stop it, equally a study was made by the British Government of alternative means because both the Labour Government and the Conservative Government state that they were committed to the policy of "sustain and support". I say "state" because that is what they say. I believe that that is the case and I would be failing in my duty if I did not repeat it today even in the strained circumstances of the events of this morning that my impression of my visit to Lord Carrington, I may be wrong, but my natural impression of his reaction is that he proposes to help Gibraltar to the extent that he is able to. I do not agree, and this does in no way alter the seriousness of the situation, I do not agree that what happens in the United Kingdom cannot have any reflection as to what happens in Gibraltar. What happens in the United Kingdom and what happens in the world must have an effect somehow or other in Gibraltar. We cannot be living in an ivory tower completely isolated from world pressures that do not affect us when it is affecting the rest of humanity. To say otherwise is very pleasant for those who have to hear it but that is not a fair assessment of the world today where barriers are going down certainly in communications and the effect of what happens in one part of the world has a very direct effect on what happens in others and that is something that we must bear in mind. It is true that perhaps some of the difficulties that are being suffered in England now by the British people are as a result of the actions of the British Government but the British Government is the Government elected by the people of the United Kingdom and therefore whenever that happens and if that has any reflection here, I agree that we cannot either elect or eject Mrs Thatcher but what they do in the United Kingdom has a bearing here because what we are claiming now is what the United Kingdom should do in Gibraltar. It has a bearing, we cannot shut our eyes and say: "To hell with Mrs Thatcher, to hell with the policy of defence, we want to carry on irrespective of what happens in England or what happens in the rest of the world". If anybody in Gibraltar thinks that we can live in that way then they are living in real cuckoo-land. It may not be pleasant to tell some truths because it is not popular but one would be failing in one's duty if one

did not make these things clear and to give any wrong impression or to give an impression of the opposite is to mislead the people deliberately or unconsciously but that is to mislead the people. We must be conscious of what is happening in the rest of the world. We must fight all the way as we are entitled to fight but we cannot forget what is happening in the rest of the world and believe that we can go home and leave it all to the United Kingdom to do everything for us to maintain things that have been achieved here by struggle and not even by the United Kingdom so if it has been obtained by struggle both in the trade union movement and both in the constitutional issue it must be maintained by struggle and not by going home and sitting quietly and pretending that Mrs Thatcher will do everything for us. That is the way that we must approach this matter and that is why the Government has got a duty despite the fact that it will support the condemnation of the closure of the Dockyard, that it will say that it will fight against it, perhaps not in the same words as the Honourable Member has chosen to use in this matter, I think with the greatest respect he has misrepresented downstairs what has happened in this respect, many things have happened, many things have to be done before we come to this House and one of them was going to England and fighting the battle about which I reported yesterday. The fact that any time anybody as he has done many times can bring an amendment to a motion is something which is part of Parliamentary procedure. The people outside may not all understand that but it is most unfair to say that somebody has come out with something to change his words and to say that there was no consultation before and he had only been given a few minutes' notice. That is rather less than fair to the kind of procedure and Parliamentary practice that we have developed here over the years. In fact, he is one of the most courteous of the Members in Parliamentary procedures in the course of our proceedings and I am sure that it is not fair that he should make an innuendo that he has only been given a few minutes' notice. That is normal because other amendments can be brought in because this is a debating Chamber, this is not something that is cooked outside, this is what we are here to do - to debate, and to debate with reason and with logic and not have pre-conditions, ideas or matters already prepared in other spheres and come here to put a rubber stamp to it. I am sure that no member would be prepared to put a rubber stamp to what another member does if he does not believe honestly that that is the way it should be done. It is because we feel that the interests of Gibraltar and the interests of the Dockyard workers and the interest of our continuing to be able to have a fight that we have a better alternative in the way in which this matter should be proceeded with than the words of Mr Bossano which are not magic because they come from Mr Bossano, they are just one way of expressing a situation because we believe that if the motion is passed as it is here it could be argued outside that it was a charter to the trade union movement to fight the

lockyard closure in any way they liked and that I do not think is what either he wants or what the Members in this House want.

HON J BOSSANO:

If the Honourable Member will give way. There are two decisions involved in this motion - one decision by the British Government which we disapprove of and one decision by the Trade Union movement which we approve of. The methods, and the Chief Minister seems to have heard some of the things I said downstairs but not others, the methods that the Trade Union movement uses in that fight, as long as they are not actually breaking the law, do not require the endorsement or the approval of the House of Assembly. Every trade unionist in Gibraltar, as far as I understand it, has got the right to take industrial action in defence of his interests already without endorsement.

HON CHIEF MINISTER:

Absolutely, but if that is so then do not come for the endorsement and use it as part of your policy and there is where we differ.

HON J BOSSANO:

The Honourable Member gets very heated with me. I trust his performance with Lord Carrington is as good.

HON CHIEF MINISTER:

He did not provoke me as much as you have done but if he had done so I would have done it.

HON J BOSSANO:

Anybody would think that I was closing the Dockyard. Lord Carrington closes the Dockyard and that doesn't provoke the Chief Minister as much as I do by speaking downstairs in Spanish. That is sad, Mr Speaker.

HON CHIEF MINISTER:

It is words that provoke attitudes. It is what the Honourable Member often mentions about a rational approach to matters and I regret to say that the Honourable Member in this matter is not acting rationally.

HON J BOSSANO:

It is a matter of clarification to the House that appears not to understand what the wording of the motion is. I am moving

the motion and everybody else understand it differently or chooses to understand it differently. The House is not being asked to approve the industrial action that the Trade Union movement will or will not take, that is a matter for the Trade Union movement and when the Chief Minister said that he could not endorse that industrial action and that he would need to reword it to show that it was political action, I said there is no problem on that respect. What I am saying is the decision to fight or not to fight is the decision that the Trade Union movement had to take and has taken and how it fights is a matter that will be decided by the Trade Union movement, just like the House of Assembly or the Chief Minister could have decided either to oppose or not to oppose the decision of the British Government and if I am being asked to endorse a decision to oppose, it does not mean that I have to endorse how it is opposed by appealing or by doing anything else. The methods that the House uses or the methods the Government uses are a matter for the House or the Government to decide, but the decision that has been taken and that is what the wording says, it endorses the decision to fight the closure, either we endorse that decision or we don't but we don't try and look for things that are not there, Mr Speaker.

HON CHIEF MINISTER:

It is of course one thing for the Trade Union movement to fight. The Trade Union movement have got many ways of fighting and nothing that we will do in this House is going to inhibit them but what he cannot expect is to get a priori approval of the House to what the Trade Union movement may do. That he cannot do because then it would mean that the fourteen other Members of the House were subservient to the Trade Union movement which I am sure nobody in Gibraltar wants us to be. It is in the light of that that I propose an amendment to the motion and I have not, as the Honourable Member anticipated at the beginning when he was in a better form earlier in this meeting, that all the words after "that" would be removed and other words would be substituted. I have left the most important part, in my view, for this House, the most important part for this House of the motion I have left unaltered and that is that this House condemns the proposed closure of the Naval Lockyard in 1983. That, I am not touching in any way in my proposed amendment but I am giving notice that I propose an amendment whereby the words "and fully endorses the decision by Dockyard employees and the Trade Union movement to fight the closure" be deleted and substituted by the following which, in substance, is the same except, as he said, in more diplomatic language. We have to use diplomatic language, trade unionists may not have to use diplomatic language but the House of Assembly does and the House of Commons does because Mr Michael Foot the other day exercised his right to appeal to the National Executive Committee of his Party

to put his veto to a member who said he would manipulate Parliament and it is for that reason and that reason only that he has objected to a candidate for a constituency because he said he would try to manipulate Parliament and that is what we do not want to do and I am sure we are in very good company with Mr Foot, the Leader of the Labour Party. As I said before, substitute by the words: "Calls on the British Government to reconsider that decision and resolves to take steps, in consultation with the Trade Unions, the main representative bodies and Gibraltar's friends in Parliament, to persuade the British Government to alter that decision". Mr Speaker, that part of the motion in which other people are being brought in reflects the feelings in yesterday's debate about consultations in a wider sphere. That is what in any case I had proposed to do in the way in which we should go about it. Also, let me say that that was the procedure that was followed, there hasn't been really time, as I said yesterday the meeting in London was an interim meeting following the visit of the officials here and it was an interim meeting to make a point which produced, I think contrary to what the Honourable Member says apart from having produced £4m, it produced a different climate in which to fight this matter. On that I am quite satisfied. Whether it reaches its purpose or not is another matter. We did this in the British Nationality campaign, it was not fought with industrial action. I know this is a different situation but it was fought with reasoned and invited approach to the British Government, it was fought with the response proved right because we obtained the support of everybody and that is the feeling that I know exists in this House that was reflected yesterday and in fact, as I see, was reflected in the newspaper in which, occasionally, the name of the Honourable Member is mentioned in the pages of "The People". His name is occasionally mentioned in every column. Thank you.

Mr Speaker proposed the question in the terms of the Honourable the Chief Minister's amendment.

HON P J ISOLA:

Mr Speaker, we propose to support this amendment. We support it in pursuance of the policy of my party which I have declared time and time again, and that is that with the crisis that Gibraltar is faced now, there is need for a Gibraltar view of the problem that faces us and that in the formation of that Gibraltar view we must bring in everybody that is interested in the future of a British Gibraltar as we know it and therefore it is the view of my party and I hope it is also the view of the Honourable Mover of the motion, that this must be a united stand made by the people of Gibraltar and it must be a united stand that is produced as a result of free discussion, free consultation between all the people involved in this problem. In this House, we have got the

elected members of the three political parties in Gibraltar. Outside this House, we have got the Trade Union Movement, we have got the Chamber of Commerce, we have got the women's Association, we have got all the people who are affected by decisions that any individual may make or any movement may make, and it is the view of my party, and I put this without any restraint of any kind or any constraint of any kind, that if Gibraltar is to survive the crisis that we are facing everybody must unite and everybody must unite freely and have free discussion to take the action that we consider necessary to save Gibraltar from this crisis. I am not going to be dictated to either by the Chief Minister or by the Honourable Mr Bossano and forced into following any particular course of action until I have discussed it with them, seen the probable results and made a firm decision on it. What I am saying now does not preclude the Honourable Mr Bossano advising the Trade Union movement to fight in any way that he may think so. What he cannot do is ask me to endorse what he wants to give without first discussing it with me, without discussing the pros and cons, without discussing where we go from there in any particular thing he may do. No, I won't be told by the Honourable Member what I have to do. I have been elected by the people of Gibraltar, my party has been elected, six out of eight candidates, to put forward the views of the people of Gibraltar as we understand them, we who have been elected by them. But notwithstanding that, notwithstanding that, we still think that in this state that Gibraltar is in today there is a need for all the brains of Gibraltar and all the brawn of Gibraltar, if he wants to call it that way, muscle as he calls it, to get together and work out a policy that is a Gibraltar policy because only that way, Mr Speaker, only that way, and I stress it, will Gibraltar survive - and it is a question of survival. It is not a question of suicide, it is a question of survival. I will not be a party to suicide, I will be a party to any struggle that has a reasonable prospect of ensuring that the people of Gibraltar survive as a free community with all the job opportunities and all the favourable conditions that exist today. I will fight for that but I will fight with my head, Mr Speaker. I will fight with a deep consciousness of the world around me, of what is happening. I watched that programme last night. Isn't it extraordinary, Mr Speaker, in that programme, in an hour, how the Gibraltar situation was projected in Spain. How easy it is, all the work that has been done in Gibraltar, to try and destroy it in one hour. Just bring people in who couldn't speak very good English, or very good Spanish, don't put in people who made very firm statements. I was interviewed in this House and I thought I had done rather well. They didn't even mention me because I told them the first object of the Democratic Party of British Gibraltar was to keep the people of Gibraltar and the territory British according to their wishes and that was what my party existed for. That was the end of

the interview. Then we get somebody else who they preferred to put over, and this is the reality of life, this is what we have got to fight for. The fact that we burn up something else will not get us what we want, unfortunately. If I thought it good I would be there. Mr Speaker, in this House let us think with reason and let us fight with reason, there is a time and a place for everything. I condemn the closure of the Dockyard, my party condemns it and we have said and we have put motions in this House to that effect, or rather amended the Honourable Member's motions to this effect. We have said that the British Government has a responsibility to Gibraltar, has a responsibility to maintain its economic viability and if it is to close the Dockyard and, unfortunately, that decision is for them, then they must provide a viable alternative and therefore, we oppose the closure of the Dockyard. We will fight for the British Government to reconsider its decision but we also want to know if they will say no at the end of the day, we do not want to leave the people of Gibraltar in the lurch, we do not want to leave them with no alternative and suddenly find ourselves with seven hundred, or eight hundred or nine hundred unemployed and we can give them no alternative because we have not sat down and thought of that possibility. I will not be a party to that, Mr Speaker. Gibraltar has to survive as we know it and as we love it and I will play my part in that whatever may be said by anybody on it. The Honourable Mr Bossano said this was an important political decision, it is an important political decision and he said that the time had come for plain speaking. I agree with him entirely, the time has come for plain speaking. Plain speaking using our heads. He said that the Gibraltar Government is constrained but the Trade Union movement is not constrained and he said the Gibraltar House of Assembly cannot stand on one side. I think we are all constrained to a certain extent. We are all constrained because of the consequences that there could be for people if we make the wrong decisions because, you see, we are not all Gods. We could make the wrong decision.

HON J BOSSANO:

Or Mrs Thatcher.

HON P J ISOLA:

Well, Mrs Thatcher is not God and that is the trouble. If she was God she wouldn't have closed the Dockyard, she would have been kind and good to us but we have to be careful we don't make the wrong decision. The Chief Minister has to be very careful. I, as Leader of the Opposition, have to be careful, the Honourable Member has to be careful, the leaders of the Trade Union movement have to be careful because it is not a question of having a fight and seeing how far you can go and if you don't get away with it, that's all right another day, no, it's not a question of that. Decisions that

we make can have some dreadful consequences. I won't say what the duties of the leaders of the Trade Union movement are, I just speak for the elected leaders of Gibraltar and I include the Honourable Mr Bossano there because he is an elected leader of Gibraltar. What we have to consider is, whatever we do, what the probable results and what do we do if things are wrong. For example, let us suppose that we just say we are going to fight the closure of the Dockyard and fight it to the end, in the street, literally, and I am saying that, in the streets or whatever, what is the end result of that if it does go wrong? What could it be? Could it be that Spain walks in. Thank you very much. The place is in a complete ruin, they will sort it out. Could it be another power walks in? I don't know, I don't know. But I tell you one thing I do know. As far as I am concerned, as far as my party is concerned, we still consider very, very strongly, that the best option open to Gibraltar is still Britain and our policy will be dictated by that. I know that is not a popular thing to say now having regard to the fact that the British Government has just said it is going to close the Dockyard. I take the point that the Honourable Member said that he wasn't against the people of Britain, he was against Mrs Thatcher's Government. Well, yes, but unfortunately we didn't elect Mrs Thatcher's Government, we are not part of Britain, we don't live in Britain, we are just a Dependent Territory, like Hong Kong and all these other people, and as far as we are concerned, as far as Gibraltar is concerned, it must, as much as possible, keep a reasonable relationship with whatever British Government is in power because you say you are a friend of Britain, or you say you would do nothing against the people of Britain, well, they have elected that Government, for better or for worse, and in 1984 perhaps they will elect the same one or another one and then we have to keep friendly with that Government or try and maintain friendliness. What I believe we have to do in Gibraltar is try and persuade that Government, because we can't fight them, I don't think we have got any frigates here, we have got a Gibraltar Regiment and H.M.S. Caple. What can we do? What can Gibraltar do to change Mrs Thatcher's mind, a woman who has fought against half a million in one industry and two million in another and beaten them? What can seven thousand or eight thousand, or thirteen thousand electors reasonably hope to gain taking into account the situation that occurs in England and it is my belief, and I may be wrong, and in taking that decision and in following that policy I may be wrong and I freely admit it the same as the Honourable Member may be wrong, my belief is that we will only succeed with a united effort and everybody playing his part, there is probably a need for pushing of the kind that the Honourable Member is advocating, yes, there is a need and then others perhaps can do a better job somewhere else. But the persuasion of the British Government is going to come in the last resort, if the Dockyard is not to be

closed, by a parliamentary majority against the British Government. We got it in the British Nationality Bill. This one, I think frankly, is a very different kettle of fish, a very different kettle of fish but we still require enough people in Parliament from all parties and we must be careful it is all parties, we must not fall into the trap of saying it is just Labour against Conservative because unfortunately for us the Conservatives have a majority so you won't win if it is just Labour against Conservative. We have to bring in our Conservative friends as well and we have friends on all sides of the House. Also SDP, we are having an increasing number of them, too. We must get them all together and at least we must ensure that our friends in Parliament and that is the last word, literally the last word, that our friends in power exert enough pressure on the British Government to reconsider the closure of the Dockyard and if that fails at least to make them give us a viable, economic alternative that ensures the same living standards for all our people in Gibraltar including all the Dockyard employees who are the people in the front line at the moment but, obviously, there will be others. They are the people in the front line, they are the people in trouble at the moment. Please do not get anything I have said wrong. I fully share and sympathise and we all deeply sympathise with the concern of people whose jobs are in danger because until you have that, until you experience it, you don't know what is it, I agree. Others do not have that experience and therefore people in the Dockyard could say: "They are not really concerned because it is not happening to them". I understand that feeling and it is true, it is a fact that unless you are yourself personally threatened with it you tend to take a more objective view. But sometimes the people who are threatened by it may well do things that it is not in their interest and people who are not may be able to advise. I would like specially the people in the Dockyard to get the message from this House that we are concerned about the whole situation, about the position of them, primarily, as the affected party and then, of course, secondarily, and its important as well, the effects on the economy because it has obviously its effects. I saw a pamphlet before I came in which was being distributed and it is true, I think, what they say there, these are facts. We are concerned and we are here all concerned and I hope we are all fighting the same battle here and this is the message I would like the Honourable Mr Bossano to take out of this House when he goes and addresses another meeting, that we are not amending the motion because we are rejecting him, we are amending the motion because we, other elected Members of the people of Gibraltar, are fully aware of the struggle before us, are fully aware of the problems but do not necessarily agree that it can be fought in one particular way which is the one he has been describing, in fact, we are not happy about the way he is describing it because we don't see the end of

the road in his argument. We say it must be fought on a much broader plane, it must be fought primarily on a political position. We must draw the enormous fund of goodwill there is in the United Kingdom for Gibraltar in the Trade Union movement, as Mr Bossano has said, in Parliament, and, generally, in Britain. Let us not get too anti-British straightaway because we have been told they are going to close down our Dockyard. Let us not give an opportunity to those who are looking for other things for the future of Gibraltar to come in at this moment of time and try and persuade people to change their allegiances. I will not be a party to that and I hope no Honourable Member in this House will be a party to that. Let us, therefore, Mr Speaker, fight together but let us fight generally together. Let us talk with each other. Let nobody come along and say: "Now, we are going to do this and now you damn well agree to it". I say that to the Chief Minister in the same way I say that to the Honourable Mr Bossano. We haven't got power, Mr Speaker, we have got six elected members and the Chief Minister decides what is done, he has got power, the executive arm. My Honourable friend here appears to have a lot of influence in another place and he can produce action. As far as we are concerned we are just a political party in Opposition and all we can do is talk and tell people what we think and hope that we will have an influence on their thinking and on their way of action. Mr Speaker, we have said it two or three times and it may be finishing our chances in the next general election, we are saying that we will support a Gibraltar view, a united stand by everybody who has feeling and cares for Gibraltar and its future and this is what I would appeal for and that is why I am supporting the amendment of the Honourable and Learned Chief Minister and I hope the Honourable Mr Bossano will also support so that we can have a united motion on something that is very dear to the hearts of all of us and especially, of course, to the people of Gibraltar.

HON A J CANEPA:

Mr Speaker, the strength and ability to survive of the people of Gibraltar since the Spanish campaign started back in 1963, has been primarily based on our ability to close ranks in the past when faced with really crucial issues and the issue which is facing us today is, perhaps, the most crucial in our history. Today there is a greater need for unity in Gibraltar than there has ever been before. One only had to look at the crowd outside earlier this morning to see that there you had people of every political complexion in Gibraltar, supporters of the GSLP, of the AACR, of the DPBG, people of an independent frame of mind and yet they were united there in expressing their concern at the Dockyard closure. I think, Mr Speaker, that in this House also we see the strength inherent in the democratic system in the system of Government and Opposition where there is healthy debate and where if we do not agree at

least we abide by the principles of democracy. I say to those who advocate doing away with the system of Government and Opposition and introducing a Committee System or who call upon the need to have a coalition Government, and that call is being made in certain quarters recently, I say to them that they are mistaken because if we can achieve essential unity on the crucial issue of the Dockyard closure and the effect that that will have on our economy and quite apart from that we can continue to debate and disagree and quarrel, if necessary, over other minor matters, and if the Opposition can continue to keep the Government on its toes on these other matters, then that is what democracy is all about, that is what the Westminster principle of Government and Opposition is all about and I think that ultimately Gibraltar will gain by that. Basically, I think Gibraltar is united on this issue and therefore there is no need for us to try to sweep under the carpet other matters and have stagnation in the political life of Gibraltar. Mr Speaker, when small nations are faced with crises the people essentially are united. In the State of Israel it is said that if you put two people into a room they leave that room having formed three political parties and I am sure that that is the way things are in the conduct of their everyday affairs. The Israelis disagree and quarrel bitterly in their healthy political life but on the essential issue of the survival of the State of Israel they have demonstrated in a historical manner their ability to face enormous odds and conquer and I think the short history of Gibraltar and the short history of our struggle since 1963 is very much along those lines because we have been threatened with extinction by a large neighbour who it is clear still has very little goodwill for us. Where I quarrel with what has happened this morning is that I think it was a good thing that there should have been a demonstration, a walk-out by people showing their solidarity but there was no need whatsoever for the proceedings of the House to have been interrupted and for the people outside the Chamber to have been addressed. If the matter had been left at that and if we had been able to carry on with our business here, I think that that would have been a very good thing indeed. But, of course, perhaps because there is a need even within Trade Union movement for some leaders to try and get advantage over others and to upstage them, someone had to address them and therefore a second speaker also had to address them in order not to be upstaged. That is what I think has been unfortunate and I do not think that any credit has been derived from that but perhaps, Mr Speaker, if in life we can draw benefit from our experience and build on that, perhaps that is a good thing in any case. Therefore, having regard to what has happened I very much hope that people will realise that this cannot be the pattern for the future. This is not the way in which we have to struggle over the next year or so. The Honourable Mr Bossano, in introducing his motion, spoke about the duties that elected members have.

He said that we are not elected in order to have a social standing in the community. I could not agree more. My own position and my whole attitude to the matter is entirely different. I was perfectly happy doing what I think is a useful job as a schoolteacher and I left teaching perhaps because I felt that the vocation that I had for teaching should be subsumed by a vocation to serve not just children in a particular setup but to try and put my humble talents at the disposal of the people of Gibraltar, something that I will continue to do for as long as people want me in a democratic situation but I have a painful experience of what happened seven years' ago almost to the day on 16 December 1974, and happily, that has not happened this morning and if there had been any indication of that happening my attitude, Mr Speaker, would have been to pack up, to go home, to go back to teach and serve children in a humble capacity and I would leave the Government of the affairs of Gibraltar to anybody who would be happy in that situation to pick up the cudgels. It has been said in an official communique issued by the headquarters of the TGWU in London that the move of the British Government to close the Dockyard was the beginning of a sell-out to Spain, a sell-out of the people to Spain. I do not know whether when Mr Bossano said that he has never had much trust in the present British Government he was also perhaps hinting at that. I would have agreed - perhaps I would have been very suspicious as to the motives of the British Government if Chatham and Portsmouth had not also been affected. If the closure of the Gibraltar Dockyard had been in isolation perhaps I would have been suspicious but if that is the case then we ought to have been very suspicious as to the motives of the Labour Government in 1977 when they were seriously contemplating doing precisely that. If we should not have much trust, as the Honourable Mr Bossano said, in the present British Government, then what about the left wing of the Labour Party? What about the Frank Hooleys, the Frank McNamaras of this world? I have always suspected that in a situation in which the left wing of the Labour Party was in office in the United Kingdom and the Socialists were in Spain, they would all get together in the spirit of Socialism and sell Gibraltar down the river. What I am saying is this, Mr Speaker, that as an elected member of the House I do not care what Government the British people elect. I have my own private views about the political parties in the United Kingdom but I do not care as an elected member of the House what party they elect provided that British Government behaves and acts towards the people of Gibraltar in an honourable manner and if they don't I will endeavour to fight that British Government regardless of its political complexion. But what I am not prepared to do is to fight the present British Government because I do not happen to share its political ideology. Undoubtedly, the response of the British Government to our aspirations and to our representations has been dool but that is the response of the present British Government to

everybody, they are cool to everybody and not just the people of Gibraltar. Again, if they are not fair to working people in Gibraltar I will fight them but what they do with the working people in the United Kingdom is a matter for the people of the United Kingdom and if they do not like the British Government then there is a remedy in 1984 they can bring them down or as was done with Mr Heath now that Mr Arthur Scargill is leading the miners, no doubt they can use the miners to bring Mrs Thatcher down but that is a matter for them and not for us here. Let me warn the House, Mr Speaker, that if we are to be successful in diversifying the economy of Gibraltar and in finding even supplementary alternative economic activity, the land issue will be equally crucial and the fight will also be a difficult one because the MCD and the United Kingdom Treasury take a very entrenched view of the matter. Whilst we have got support from the Foreign and Commonwealth Office, it is clear that there is a conflict of views between departments of the British Government and therefore it will not be a straightforward matter for us to win through on what is also a very crucial issue. The Honourable Mr Bossano referred or intimated that perhaps there was a danger of a policy of appeasement of the British Government being adopted. He said that the time had come for plain speaking. We have had plenty of plain speaking. I was only this morning reading the record of the meetings which we had with UK officials at the end of November and if that wasn't plain speaking then I do not know what is but one thing is plain speaking within the four walls of a Conference Room and another one is plain speaking here in this Chamber or downstairs. That is quite another matter. Of course, there has got to be plain speaking and of course we have to quarrel with the British Government but we must always be guided by the principle that we are quarreling with people who are basically our friends, with people who have basically treated us decently and that is what we have got to be careful, that is where there has to be a fundamental difference of attitude to the manner in which we approach Britain and the manner in which we approach Spain. That is the choice that the people of Gibraltar have - independence or whatever, as was said on one occasion and as I have also been hearing recently because that would appear to be the alternative if there is an anti-British backlash in Gibraltar. We clearly do not want to be Spanish so therefore the only alternative is independence or whatever. That is a road that will only lead the people of Gibraltar into a takeover by Spain. Independence means a Spanish Gibraltar ultimately and if we want to maintain our way of life and our real independence from our neighbour it is only if we quarrel with the British Government, but as friends, and if we maintain ourselves on target that it is only a British Gibraltar that has a chance of survival.

HON MAJOR F J DELLIPIANI:

Mr Speaker, I would never dare to even think of telling the trade union movement what to do or what it shouldn't do. It is their right to take whatever action they have within the laws of Gibraltar. I would certainly not try to intimidate them in any way on what action they should take in the future. The Honourable Mr Bossano has tried to explain that the crowd outside this morning were not trying to intimidate us and I find that very reassuring. But I felt intimidated, whether they were doing it on purpose or not, I felt intimidated. Let me tell the Honourable Mr Bossano and everybody in Gibraltar that if they try to intimidate me I will always do what I think is right. I am completely fearless of everyone including the British Government, the Chief Minister, Mr Netto and everyone in Gibraltar. I will do always what I think is right. It has been said in this House that our best friends are in Britain and that the British Government ultimately is our best friend. Well, we have received a kick in the teeth from Britain and it hurts and as a boxer myself I have had quite a few kicks and punches in my mouth and it hurts but can you imagine what our enemies will do to us? I can think of other parts of the anatomy where it hurts far more. Whatever Britain has done to us now they are still our only friends. What I am not prepared to do in the way the motion has been presented by the Honourable Mr Bossano is to give a blank cheque to anybody to do whatever they like because we all know that there are people under the cover of being Socialist who are Communists and Anarchists. We all know who they are and they hide under the cover of Socialism but it is not Socialism it is Communism and Anarchy and what they don't want us to have here is a British influence and what my Honourable Colleague has said on the question of extreme Socialism and left-wingers in Great Britain and the Socialists in Spain and the Communists, if that were to happen, by gum, they would sell us down the river. Someone else has said it better than me, Mr Speaker, that good leaders go with the current of opinion of people, but it has also been said that great leaders feel the current and then do what they think is right. I hasten to add I do not consider myself either a good leader or a great leader but I do consider myself to be a sincere and an honest person despite the silly and idiotic remarks from the public gallery.

MR SPEAKER:

Order. You must not refer to whatever happens in the public gallery.

HON MAJOR F J DELLIPIANI:

Mr Speaker, part of the motion of the Honourable Mr Bossano says "fight the closure in 1983". To me it is significant.

Why didn't he put the closure of the Dockyard. If he puts "fight the closure of the Dockyard in 1983" to me it is implicit that he knows that he cannot stop the closure of the Dockyard. It is implicit by putting 1983 and that is the realist part of me which I will fight for. I will fight against the closure of the Dockyard, of course I will, but I know that we are not going to be successful. What we have to fight for is for time, that is what we have to fight for and that is what we haven't been given. The Honourable Leader of the Opposition put it very well today. He has been a realist. Fight, yes, fight, but if we lose what then? It would be very irresponsible of any Government, of any elected member, if he didn't have something in reserve behind him. That is being a realist. My family have served in the Dockyard between my grandfather, my father, my greatuncle and my uncle something like 160 years of service to the British Government, of very loyal service. In fact, my grandfather served for over 40 years and he didn't miss one day, not one day. I do not come from a capitalist background, I am not a rich fellow, my father was a Storehouseman in the Dockyard and my grandfather was an Assistant Storehouseman, I am not a capitalist. I know what it is not to have money. There have been allegations made in some quarters that I do not know what it is not to have money. I had to go to work because my grandfather died and we lost his earnings. I never had a bicycle in my life. The first bicycle that came into my house was a bicycle we bought for my brother with my earnings. So let me not be described in different papers as a capitalist. I know what it is to be without money. What is important today, Mr Speaker, is that we are united in a fight for our survival but we must not lose sight who our enemies are and I will not give a blank cheque to the Trade Union movement or to anyone to destroy the Gibraltar that we love.

The House recessed at 1.00 p.m.

The House resumed at 3.25 p.m.

HON J BOSSANO:

Mr Speaker, I wish to propose the following amendment to the amendment before the House which seeks to restore the original motion and I would like to explain why. The amendment reads: That the following words be added before the word 'call' in the third line of the amendment. The words are: "fully endorses the decision by Dockyard employees and the Trade Union movement in Gibraltar and the United Kingdom to oppose the closure and". The "and" is because it should have been there and it isn't, Mr Speaker. In the amendment that we have before the House the word 'and' after the figures '1983' is deleted as well which means that the motion would read: "in 1983 calls on the British Government to reconsider the

decision...". I am sure that was never intended. It is required for linguistic reasons if for no other. The amendment that I am proposing to the House, Mr Speaker, I am putting forward because in saying I could not accept the amendment that we have, what I cannot accept about it is in fact what it deletes and not what it adds. Let me say that I do not see how one can argue, for example, that if we have got a situation of industrial strife in Gibraltar and that fails then what, without being required to apply the logic of that argument to any measure that we take. One could equally say if we have representative bodies if we lobby Parliament and a decision is still no, then what. That question is always there whatever we are doing. I will be quite candid with the House. I do not believe that what is being proposed in the amendment that we have, not in the one I am proposing, what is being proposed in the amendment is really going to take us any further than the Chief Minister has already taken us in his recent visit to London in the sense that when we are talking about a Gibraltar view I think the Gibraltar view which is the unacceptability of the decision and the discontent at the way that the situation has been handled by the British Government and at their lack of flexibility, to the extent that that is the Gibraltar view I think that view has already been put in no uncertain terms to the British Government by the Chief Minister and therefore to the extent that that is what a united Gibraltar view can put forward, I do not think there is any question that that has already been done. If we are talking about lobbying Parliament and so on, then certainly the British Government is not, in my judgement, very likely to listen to that sort of pressure if that is all that is happening. I do not see, therefore, the proposed amendment as something in substitution of the actions that the Trade Union movement may be taking but as an additional measure and I do not object to it as an additional measure nor am I against taking part in it myself as an additional measure. In seeking to restore what was deleted from the original motion, I have taken into account the objections that have been raised to the motion as it was phrased originally and therefore I have replaced the word "fight" by the word "oppose" because as I mentioned, Mr Speaker, in my earlier contribution, there is no question of industrial action requiring endorsement by the House, I think the people who are employed in the Dockyard if tomorrow they are given a letter saying they are going to be made redundant in six months' time, are perfectly entitled to take whatever industrial action they think fit or their Union thinks fit, I would not come to the House to seek an endorsement of that action. What the motion seeks, and I thought it was perfectly clear, was an endorsement of the decision to fight the closure. If the word "fight" has got connotations which are unacceptable to other members in the House, and I do not think we should mince words on this issue, then in order to be clear what we are talking about I am proposing that it

should read "oppose" the closure rather than "fight" the closure and to make it further clear that I am not seeking approval of industrial action in the House of Assembly, I am referring to the Trade Union movement in Gibraltar and in the United Kingdom because in fact the Trade Union movement in the United Kingdom is not expected to be taking industrial action on this issue, what they are expected to be doing, and what they are doing, is organising a publicity campaign within the Trade Union movement to explain Gibraltar's case and to seek support for it very much although not quite as limited but very much the sort of exercise that the CPSA in the United Kingdom undertook to do on behalf of their local membership when they were in dispute with the MOD, they were locked out during six months, the industrial action was taking place in Gibraltar and in the United Kingdom there was a propaganda exercise inside the Trade Union movement where up and down the country people were being lobbied for support for the Gibraltarians who were in dispute. I think the Trade Union movement has undertaken to be doing this, has undertaken to carry out an exercise of making representations to the British Government on our behalf, of lobbying Parliament on our behalf, of seeking the support of the TUC, Trades Council and trade union branches in the country. That is the action the Trade Union movement is going to be doing in the United Kingdom. In fact, that is part of the opposition to the closure but the motion seeks support for the decision to oppose the closure just like it sought before support for the decision to fight the closure because, in fact, it is not the actual methods that are adopted that need the approval of the House of Assembly, it is the sentiment, the decision not to accept that closure. I think that has got to be clearly understood. With all that has been said about being used and being made to be anti-British and all the rest of it, let us be clear about one thing it is not that we are choosing to take on the British Government, it is a British Government decision, not ours. We have not decided that we do not want a military base in Gibraltar and we are going to kick the British out as they have done in other colonies. The British Government has decided that it no longer needs the Dockyard and therefore they are pulling out - as simple as that. They decided it in the full knowledge of the consequences because the consequences were spelt out to them before the decision was taken. We now have to carry out an exercise at a political level to get a public reaction against that decision but the people involved in the Dockyard themselves, and I think that needs to be clearly understood in this House, it is no good, Mr Speaker, if we just go along with the notion that we can prevent this from happening by collecting signatures, by sending letters to Members of Parliament, by sending a delegation to the House of Commons and at the same time as we are doing all that the process of closure is actually being implemented. That is certainly not on because if they start giving redundancy notices to people,

if they start demarcating an area for the naval base and an area for the commercial dockyard, they start bringing in people to look at the place and submit tenders, then all those moves will be resisted by the people whose cooperation is required to implement that. We cannot expect those people to simply sit back and allow all that to happen whilst we are writing letters in the hope that the machinery that is being put in train will somehow all be undone at the end of the day. That is not on and therefore I need to spell quite clearly to the House to the extent that I see the involvement of the House of Assembly which in no way can be either a curtailment of the freedom of action of the people actually employed and actually under threat of redundancy nor am I asking members of the House to say that they will support whatever action dockyard workers take. I am not saying that. The original motion did not say it and if it was not clear enough in the original motion then I hope it will be clear enough in the amendment I am now proposing and that the House will be able to accept this because that would enable the motion to be carried unanimously as I would then be able to support the amendment proposed by the Chief Minister.

Mr Speaker proposed the question in the terms of the Honourable J Bossano's amendment to the amendment.

HON CHIEF MINISTER:

Mr Speaker, I have not got the advantage of the crowd downstairs to go and tell them what is happening here with the note that I have been given just as I came in. My friend at least had the benefit of an hour or two before he was able to do that but we can deal with this without the need of consultation downstairs. The Honourable Member has made a remark which goes to the root of the difficulties one can find in this amendment and that is that all along the line the Trade Union movement may well or will oppose any studies that are made, anybody that goes to find out this or the other. Whilst on the one hand we oppose the closing of the Dockyard, on the other hand we, the Government, consider that we have the responsibility of finding out what is going to happen. If all the Trade Union efforts fail, we in this House are going to support, endorse, the action that the Trade Union movement is going to take which could well be contrary to the action which the British Government, in consultation with the Gibraltar Government, consider it necessary to carry out certain preventive measures or preparatory measures. That is the difficulty. It would have been easy, having regard to the events this morning, to have said that we reject this, we stick by ours, we have got the majority, but that I do not think is good either. Do I understand the Mover now to say that on that basis he accepts the amendment and accepts the deletion of the words in my amendment?

HON J BOSSANO:

I am accepting the amendment moved by the Honourable Chief Minister.

HON CHIEF MINISTER:

Then in trying to take a view that will be as constructive as possible but will leave the possibility of a consensus, I have an amendment to this amendment. Because we have objection, and I have had a word with the Leader of the Opposition, because we have objection to endorsing in advance any action that the Unions can take which may not be the action which in the view of the Government is the right move, I think the answer could be met by substituting the first two words of "fully endorses" in order that it should be conscious of what the Dockyard workers are doing, and substitute the words "takes note of" the decision of Dockyard employees and the Trade Union movement in Gibraltar and the United Kingdom to oppose the closure. Note is taken of the fact that that is what they are going to do. On that basis, of course, I would be quite prepared to accept the amendment on behalf of this side of the House.

MR SPEAKER:

We can do this in one of two ways. We can have a short recess so that we can get a consensus motion or you must move the amendment so that we can hear the amendment to the amendment because otherwise we do not hear the views of Mr Bossano.

HON CHIEF MINISTER:

As far as I am concerned if the Honourable Member wants time to consider it, then let us have a short recess, I have no difficulty.

MR SPEAKER:

So that your proposal now is that the amendment to the amendment should be further amended by the deletion of the words "fully endorses" and the substitution therefor of the words "takes note of".

HON CHIEF MINISTER:

What I am saying is that the Honourable Member may want to think about it to see whether he accepts it. It is done in a spirit of conciliation despite everything. It is done in a spirit of trying to find a consensus view of the whole House, otherwise I would be compelled to reject the amendment and come back to the first amendment.

MR SPEAKER:

Yes, but the only way we are going to find out what Mr Bossano is going to do is either by proposing the amendment to the amendment or by recessing.

Mr Speaker proposed the question in the terms of the Honourable the Chief Minister's amendment to the amendment to the amendment.

HON P J ISOLA:

Perhaps I should say what our view is to this amendment. I would not like to get involved in a series of amendments unless they are going to be successful. I support the view that perhaps the Honourable Mr Bossano should tell us whether he would go along with that amendment because otherwise it would be better to take a straight vote and not find ourselves with an amendment that we haven't really asked for. I think we would go along with that, I think this House can quite properly take note of the decision that has been made by the Dockyard employees, the Trade Union movement in Gibraltar and in the United Kingdom to oppose the closure. I notice that the United Kingdom has been brought in now. I don't know whether that means that the United Kingdom Trade Union movement was prepared to oppose the closure, but not to fight it now that the mover is changing the word from "fight" to "oppose".

HON J BOSSANO:

Mr Speaker, I have explained it already but I will explain it again if the Minister will give way.

HON P J ISOLA:

What I am saying is that I don't know whether the United Kingdom is being introduced now because the phraseology has been changed, because it was not in the Honourable Member's original motion.

HON J BOSSANO:

I can answer, Mr Speaker, if he will give way.

HON P J ISOLA:

I will give way.

HON J BOSSANO:

If he doesn't want an answer then he can keep on asking me but I cannot answer because I am not allowed to answer sitting down. The reason, as I mentioned when I moved the amendment, was that the word "fight" which I can tell the House that as far as the news services in Gibraltar are concerned, when they reported the matter at midday in Spanish, they used the

word "oppose" as being obviously synonymous with "fight", so as far as I am concerned, I am putting the word "oppose" there simply to meet the objection that was raised originally saying that the reason why the motion could not be accepted was because I was asking this House to approve industrial action. The reason why I have included the Trade Union movement in the United Kingdom is because the Trade Union movement in the United Kingdom has committed to fight the closure but has not committed itself to taking industrial action. I could have equally said the Trade Union movement in Gibraltar and in the United Kingdom to fight the closure, or the Trade Union movement in Gibraltar alone to oppose the closure. I have put those two things in in order to reassure Members that they are not committing themselves to being in favour of industrial action. That is a reason and that is the reason I gave at the beginning, Mr Speaker. That is the only reason.

HON P J ISOLA:

I see that. The only thing I was commenting on was not in the change of phraseology but in the inclusion of another party, the Trade Union in the United Kingdom, which wasn't in the original motion. I didn't know that had any particular significance in this amendment.

HON CHIEF MINISTER:

It certainly has more if we say that we "take note".

HON P J ISOLA:

Anyway, as far as the amendment goes I think we would go along with it if the Honourable Member accepted the amendment proposed by the Honourable and Learned Chief Minister that this House is taking note of the decision of Dockyard employees and the Trade Union movement to oppose the closure because that is not inconsistent with the view that we are putting forward that we should have consultations. If the Honourable Member then accepts the rest of the motion, which is calling on the British Government to reconsider the decision and resolves to take steps in consultation with everybody then, perhaps, we could achieve what I think all Members of this House would want and I think all the people of Gibraltar would want, a Gibraltar view. When I talk of a Gibraltar view, I am not just talking, Mr Speaker, and that must be obvious to the Honourable Mr Bossano, I am not just talking of a Gibraltar view of how we regard the thing, do we oppose or do we not. When I am talking of a Gibraltar view, I am talking of a view of what our policy is and how we are going to implement it. I would hope that if the Honourable Member is supporting this amendment that has been suggested by the Honourable and Learned the Chief Minister and supported by this House and accepts the amendment that is now being put, under

which the House takes note of the decision of the Dockyard employees and the Trade Union movement, I am hopeful that if that is the case that could be a step in the right direction of everybody discussing with each other what should be done in the circumstances. In those circumstances, we would support the amendment proposed by the Chief Minister to the amendment proposed by the Honourable Mr Bossano, and the whole amendment afterwards and I hope in the end we all know what we have done. Thank you, Mr Speaker.

HON J BOSSANO:

Mr Speaker, let me say that the motion that I brought to the House was a motion designed to get support for the decision to oppose the closure or to fight the closure, support for that decision. It is quite clear that the House is not willing to state clearly and categorically that it supports the decision but that it notes the decision. I think the House has got no choice but to note the decision. Quite frankly, I do not see how we in this House of Assembly can ignore what is going on outside and I think it would have to note if there was a general strike in Gibraltar. It wouldn't necessarily have to endorse it but it would certainly have to note it. If that is as far as Members are prepared to go, then I will accept the amendment rather than find myself voting against what I assume to be an attempt to be constructive in the original amendment that we are discussing. I have made it absolutely clear that my opposition to the original amendment stems not from what is being added but from what is being deleted and that is why I cannot support it because I cannot support the deletion of all the words after "1983". It is because I would rather not vote on a motion that calls on the British Government to reconsider the decision and because I am prepared to participate in any attempt to persuade the Government to alter the decision that I am prepared to accept the proposal that the House should note what the Unions are going to do but I have to make it absolutely clear what the GSLP line is on the question of looking at alternatives, that it is not our responsibility to find an alternative to a situation created by the British Government, firstly, and, secondly, that it is not feasible to fight alternatives to running the economy of Gibraltar on the basis of having to deal with the Gibraltar economy in bits and pieces. I think it goes to the very root of Gibraltar's constitutional position and to the very root of Gibraltar being a colony and the responsibility for the economic management of Gibraltar. That is our political stand on the specific action that the Trade Union movement will take to defend its members' interests, the House fully well knows that I shall have and my party shall have no problem in giving political endorsement to that action and defending that action at a political level. If the other Members can only note that it is happening, well, no doubt they will have lots of things to note from now on.

HON CHIEF MINISTER:

I am glad that the Honourable Member has accepted this amendment to his amendment because by my amendment this morning I didn't want it to be thought, or rather it was never intended by the amendment, in fact, the Trade Unions are mentioned there, and I am grateful to some extent to the first part or rather the motion subject to the amendment I have made because it puts the picture of the situation quite clearly because as I see it now, insofar as we are concerned, no doubt the original motion will be voted and so on but as far as we are concerned now, the motion will read: "This House condemns the proposed closure of Hk. Naval Dockyard in 1983, takes note of the decision of the Dockyard employees and the Trade Union movement in Gibraltar and in the United Kingdom to oppose the closure and calls on the British Government to reconsider that decision and resolves to take steps in consultation with the Trade Unions, the main representative bodies and Gibraltar friends in Parliament, to persuade the British Government to alter that decision". That seems to me an eminently suitable form of expressing the concern, taking note of what the Union is doing without necessarily involving the House of Assembly in anticipation, which in any case it is stated is not the intention, and we could have a consensus view.

Mr Speaker then put the question which was resolved in the affirmative and the amendment to the amendment to the amendment was accordingly carried.

MR SPEAKER:

The question which is before the House now is the amendment as moved by the Honourable Mr Bossano, which reads: "Takes note of the decision by Dockyard employees and the Trade Union movement in Gibraltar and the United Kingdom to oppose the closure, and".

Mr Speaker then put the question in the terms of the Honourable Mr Bossano's amendment to the amendment, as amended, which was resolved in the affirmative and the amendment to the amendment, as amended, was accordingly carried.

MR SPEAKER:

The question before the House now is that the original motion as moved by the Honourable Mr Bossano should be amended by the deletion of all the words after "1983" and the substitution therefor of the following: "takes note of the decision of Dockyard employees and the Trade Union movement in Gibraltar and in the United Kingdom to oppose the closure and calls on the British Government to reconsider

that decision and resolves to take steps, in consultation with the Trade Unions, the main representative bodies and Gibraltar's friends in Parliament, to persuade the British Government to alter that decision".

HON MAJOR R. J. PELIZA:

Mr Speaker, you know better than I do that we always start our sessions here with a prayer and I always remember one bit of that prayer which says: "Send down thy Heavenly wisdom from above". I have the feeling that this wisdom has somehow come to this House on this occasion at the most appropriate time. I was sure, when my Honourable Friend introduced the motion to start with, that eventually, in the way that we always do, very forcefully at the beginning, gradually listening to the arguments from the other side and from all quarters and accepting that in a true democracy one can always say: "I may be wrong" and no one has any right to look down upon that man because by accepting that perhaps he was not absolutely right or that perhaps he was not projecting the view of the majority of the House and of Gibraltar as a whole, he should somehow find a compromise. In no way, in no way, must a person who has got the greatness to accept that, feel defeat because that is not defeat, that is success, in that it is obvious that in this particular issue which affects Gibraltar so very seriously, that this is the time when people must, somehow, give way from any strong views that they may have and accept that it is only by consensus, by total agreement, that we can carry weight in other quarters. I, for one, am extremely happy that this has come about. I have been away from the House because I was recording a political broadcast and there I said that it was very essential that the whole of Gibraltar should rally behind the Government on this most important issue which is affecting us today. Recriminations, accusations or anything else like that is not going to help in any way. The wisdom, either from above or from within us or whichever way we want to take it and a good sense of humour, wisdom and humour, are the two most essential factors of democracy. This, I think, we saw here today earlier in this House notwithstanding there were very tense moments, a laugh could easily come about at the end and this is the true sign of democracy. It is that sense of humour that won Britain the last war and it is that sense of humour, I think, that we must always keep in this House if eventually we are going to defuse the situation and arrive at the right conclusions. It is interesting that as I was going down Main Street after our lunch break, I came across a number of people who were downstairs and they all told me that they had not gone there in any way to pressurise anybody but in fact to show support for the matter not necessarily the motion but the matter that was being discussed in this House. I am so glad, Mr Speaker, that this is in fact what is happening here today. We can look

ahead, Mr Speaker, to a good, strong, united front in Gibraltar which follows, I think, the call of my Honourable Friend and Leader of my Party, Mr Peter Isola, who has always been saying for a long time now, that on this issue it is a question first of all of resisting any closure as a united front and, secondly, if there has to be a change the change has got to come about in a way that will guarantee as it goes along the economic position of Gibraltar now and for the future. I think this is the approach that the Government has taken and this is the approach that we must all take and this is the matter that the Union has got to take into consideration. As I see it, Mr Speaker, the closure of the Dockyard is going to affect us in three ways - economically, which means our standard of living, but economically, too, it is going to affect our national security and also our personal security. I can understand the Unions being extremely concerned about the first one - the standard of living. They have got to see it in that way, that is their main objective, that is what they have been created for, to defend the position of the worker and to defend their standard of living and no one can say that as far as I am concerned I have not always supported and admired the Unions in that respect. They know it, I played a small but effective part in the CPSA dispute. I made sure that representatives from England came over to Gibraltar and supported them. The Union also know very well how much I agreed and supported the question of parity. If now I see the situation in the same way but I believe that their part is one side of the problem which is perhaps essentially and primarily the question of the standard of living, the question of a job, we in the House have got to see it in the light of personal security and national security. In no way can we give away our national security or the personal security for the sake of standards of living. I am sure that if it came to the crunch and you asked individuals: "What do you prefer, your standard of living or your personal security?" I have no doubt that the answer will be: "My personal security and the personal security of my family and the national security comes first". Because if that is not so they are not really Gibraltarians because in a war, if you have to fight an enemy, do you think of your standard of living, of course not. It will have to go by the wayside because the first thing is defence, defence of your people and of your country and this is the way we have got to see this. Our immediate and first object is the defence of Gibraltar and its people. Of course, we must not forget the standard of living which we are not forgetting and which we do not want to forget and which is not justified that it should be destroyed in the way that I am afraid the closure of the Dockyard will do. Mr Speaker, the Trades Council of Gibraltar in this very good and to the point leaflet that has come out, sets out very clearly the serious effects that this will have on Gibraltar. I am sorry that the consequences of this have not been brought to our notice earlier in the way that the Trades Council have done

it today because we see here not just in a form of imaginative thinking but with figures, what the position is. I hope that the Trades Council of Gibraltar can somehow add something to this and send it to all the Members of Parliament and to all the Members of the House of Lords because I know that they do not fully realise what this means to Gibraltar. They are used to hear: "We close Chatham, we partly close Portsmouth". It does not strike them what this would bring to Gibraltar. If closing a dockyard in England meant the end of the United Kingdom would they take it the same way? Because that is what it means to Gibraltar, but they don't realise it and this has got to be driven home. You must realise that these things are done by a Department. It is the Ministry of Defence who has been told: "Somehow, you have got to change the whole policy and in changing the whole policy everything goes by the wayside". The Civil Servant who is given that brief has got to go ahead and do it. If they want to effect cuts in the Navy they want to have their rum and drink it and they could not care less about anything else and this is the way they are looking at Gibraltar, they want to have their rum and drink it. They want to keep the base but they could not care two hoots about the Dockyard. That is not the way that we can see this because the base is important and we want the base to be here but at the same time those who support the base somehow must be kept alive and the people must be kept as a people and if this is not done it is obvious that people will have to think and wonder whether there is an ulterior motive because no sensible approach to this problem would be taken in the way that is being done, without notice, without consulting the Government, so roughly done, no considerations for the feeling of the Gibraltarians, no public relations to ensure and show what the future is going to be for Gibraltar. We do not even know what the study of the Dockyard and the consequences to Gibraltar are. This is why I say I am so pleased that the Trade Unions obviously with facts and figures have produced this leaflet because now we have something concrete that can be shown to people, these are the facts. Before we did not know the facts, all we are told is that everything is going to be alright. We cannot accept that position and this House does not accept that position and quite rightly we don't and the Chief Minister has got all the support from us, and I think of the whole of Gibraltar, to make sure that that position is not accepted but whilst we talk here do you think that this filters through to people who should know, of course not. We do not realise that there are over 600 Members of Parliament and it is not so easy for them, they have their own problems in their own constituencies, they have their own unemployment which is costing them votes. Gibraltar does not cost them any votes, it is wonderful, in fact, it is admirable that those men who have got problems in their own constituencies which are much greater and much closer to them than ours and yet they have the time to think about us and fight for us and even give up

positions within their own Government because of this, because there are Members of Parliament who because they have supported Gibraltar can never ever expect to be Ministers in the Conservative Government. So when some people start talking about Britain letting us down I think they are very mistaken and they have got to be very careful before they say that because that is not the case. Britain is not a department of Government and there are great fights within the Departments of Government, there are great fights inside the Cabinet, you hear about the "wets" who literally are thrown out of the Government. Is the Government, by throwing a man out of the Cabinet, being anti-British to a Britisher? No, of course not, that is part of the whole intricate way of democracy and we have got to see it in that way and not suffer from an inferiority complex and say that Britain does not want us any more, that is not so. If we have good public relations in the United Kingdom we will see tremendous support from the House of Commons and we have got to do it. We did it with the Nationality Bill and it proved a great resounding success. We beat the British Government, we beat Margaret Thatcher and that is quite an achievement. I can tell you one thing, too, I think she is a sport in that respect and I do not think she has it against us because of that. On the contrary, if anything, she will admire us all that more but what we have to be careful is to use our heads and not our feet on this occasion. If anybody is going to take any form of action they have got to think it through. If at the end of the day this does not work, what do I do next? Do we all jump over the cliff? Is it nihilism that we are preaching? That is not what we want, that is not going to bring the security that I said before and I am sure that in that situation the people of Gibraltar would rather accept a lowering of their standard of living rather than their own extinction because otherwise we are going to do ourselves to ourselves what the Spaniards have not succeeded in doing in sixteen years and it is stupid and foolish to act in that way. Therefore, Mr Speaker, not because we have to think a plan through to the end does it mean that we need be any weaker at the start. In fact, we can even be stronger because when you know what your fallback positions are then you know exactly what you are doing. This is not something that you can act passionately on. Passion is all very well but what we need here is nerve more than passion so that if the situation gets worse we are in a resilient position to be able to hold it and we have got to get the people of Gibraltar to understand what the problem is, to have faith in those who are now going to guide them to victory and to act in the way that they are told that they should and at the same time the Government as it has already done in this motion has got to try and get as we have done before, the cooperation and the advice of the Trade Unions, we must be prepared to listen to what the Trade Unions have got to say. I am sure that there are lots of good things that they can do and when we know what they are going to do we can give them full support. What I, as an elected member

of Gibraltar, elected here by the people generally, cannot do is give a blank cheque to anybody saying that I will support you in whatever you may do. That I cannot do because that would be the abdication, Mr Speaker, of my responsibility and I have no right to do it because that is not what the people said. They did not vote Bob Peliza to the House of Assembly to pass on the trust they put in me to anybody I liked. I might as well go and pass it on to Calvo Sotelo and let him do what he likes but that is not what the people said. Therefore, my Honourable Friend in his motion unfortunately went too far but luckily through the discussion which is meant to take place in this House, now we have got something that I am sure will produce a united front, a Gibraltarian view that my friends spoke of earlier today. The Gibraltarian view, Mr Speaker, that the Government has got to take. We cannot wait now, the clock is ticking and you can see that whoever wants to put this into motion is moving very fast and of course they are moving very fast because they want to get it out of the way as quickly as possible. Because once the thing is done, once you scramble the eggs, Mr Speaker, you cannot unscramble them and these boys are experts at scrambling eggs and they are doing it very fast so we have got to be very careful that the scrambling doesn't take place. Therefore, I think the Chief Minister must urgently call all the representative bodies of Gibraltar and urgently produce a plan of action. I think the Chief Minister said very rightly this morning that we cannot tell the Unions what to do, of course not, and they will probably be able to take action on their own. They have and they will and no one is going to stop them. They may be told to be careful and not to go too far that what they are doing may be counter productive and that instead of having a friend they may have an enemy in a very important place. Spitting in somebody's face if what you are going to get back is a jolly good punch in the nose with a lot of blood coming out of it, I think is a very stupid thing to do. If you have not got common sense of course you may do all sorts of stupid things but the thing is that in this instance it is the whole of Gibraltar that is going to suffer, and this is why we have got to be very careful, this is why we have got to be so responsible, Mr Speaker, in our approach. I think this united front led by the Chief Minister with the full support of this House and the full support of everybody in Gibraltar I have no doubt gives him tremendous strength. He is now speaking with the voice of Gibraltar and carrying with him a Gibraltarian view. This must be made known in Britain as soon as possible. We have got to get the Members of Parliament of all parties. When I go to England and speak to members of different political parties I do not identify myself with any of them, it is not productive for us to do so. I may have my own personal views which in fact may change with events but one thing I do is I keep all the time with all the parties, whoever they may be, to gain as much support as I can. After all, Churchill said in the last war at one point "if necessary I shall pact with the devil". We have to pact with the devil if necessary to win so whatever the personal

political views of anybody in this House may be, as far as Gibraltar is concerned he has got to forget about them with regard to the United Kingdom because that is not going to help in any way. As far as this battle is concerned for Gibraltar, ideology should not play a part. What we have to fight for is for our homeland, for our people, and this I think we can do with great success. Mr Speaker, I am glad that now something can be done both here in Gibraltar to rally people together and in England and all I ask the Chief Minister to do is not to waste much time about this because the time is not there to be wasted.

HON CHIEF MINISTER:

Mr Speaker, the tension has subsided and I think we have to learn a good lesson of the events of this morning for the future. Certainly, one thing has come out clear and that is that this House, whether intentionally or unintentionally, is not prepared to be intimidated by anybody from carrying out its duties to the people of Gibraltar. We are not in the position of the House of Commons where thousands of people can go into a Chamber and lobby people while Parliament is quietly talking about many of the thousands of problems that go before the House of Commons. People come from different parts of the country, they want to see their MP's in the lobby, the MP's are interested to know the views of their constituents and therefore the direct lobby has got a very special effect so, I don't think that the comparison attempted to be carried out today was a very happy one. Anyhow, let us at least learn that whatever views people may have they should be expressed at the right time and certainly in such a way that the voices of the people's representatives whilst in debate can be heard unobstructed by high powered loudspeakers. With regard to the quick action that the Honourable and Gallant Major has just mentioned, I would like to tell him that before I came to this House I had arranged with the Administrative Secretary to call a preliminary meeting of everybody for Tuesday at 5 o'clock to make them aware of the problem and send them away to think and then we will have a longer working meeting subsequently. I did that before I came to this House, on my way down, because I felt, as the Honourable Member who has just spoken said, that we must not lose time and that despite the holidays and so on, we had to have a preliminary meeting if only to involve the people concerned and let them go away and think about it and come back again. One other point that was raised by the Gallant Member which I didn't understand but I think I ought to mention because I don't want it to be given a wrong impression. He said that our national security could be affected. Well, I hope he didn't mean that the national security would be affected by the closure of the Dockyard insofar as the security of Gibraltar is concerned.

HON MAJOR R J PALIZA:

No, of course not. I was thinking that obviously Gibraltar has got to keep body and soul together and if there is nothing coming from the normal industries that would keep us with a closed frontier, then we may have to look that way. Since the Lisbon Agreement only says they will suspend the restrictions, once we get geared to that and they clamp down again we are very much at a loss. This is what I said.

HON CHIEF MINISTER:

I accept that the security is weakened if the economy is weakened. I say that because it is not often understood that the closing of the Dockyard, or the proposed closure of the Dockyard which we are going to resist, is one thing and the Naval Base is another. The Naval Base will continue to employ people, will continue to supply ships and will continue to be of importance strategically because NATO ships will continue to call. The difference is that of course the other one, which is the more labour intensive parts, is the one that is proposed to be closed. Mr Speaker, as the Gallant Member has said, we normally try, that I think is the best achievement of this House, to find a consensus because what happens in moments of excitement is important for people to take note but what remains on the record and the motion that we pass with all the Members supporting it, tells more later on than the squabbles that we can have at certain times. I think I would like to finish up by saying that there is nobody in this House, whoever he may be and whatever his standing may be who has the monopoly to speak for the welfare of the people of Gibraltar. The monopoly to speak for the welfare of the people of Gibraltar is divided amongst fifteen members. Thank you.

Mr Speaker then put the question which was resolved in the affirmative and the Honourable the Chief Minister's amendment, as amended, was accordingly carried.

MR SPEAKER:

Now we have the original motion, as amended.

HON M K LEATHERSTONE:

Sir, we have had three amendments and it now seems that we have come back to what you call the original motion, as amended, which is going to be passed unanimously. I must say, Sir, that I am very happy that this situation has come about. Gibraltar has gone through, in its long history, several periods of difficulty but perhaps it might not be unreasonable to say that the present situation is one of the most crucial it has ever gone through since the livelihood of Gibraltar is very much at stake and at a time like this it is absolutely

essential that we have unity of purpose. But unity, Sir, is something which, in my opinion, must emanate from this House. It must not be started up by any outside movement, any outside minority political party, whether they consider themselves pro-Gibraltarian or, perhaps, pseudo pro-Spanish. Nor must unity be dictated by what some people might call an incipient mob demonstrating outside the House. Unity must come and must derive from the deliberations of this House, deliberations which must be done without any duress and with all the opportunity in the democratic process for the Members to enjoy. Now, Sir, I saw one poster this morning which said that Mrs Thatcher is the enemy of Gibraltar. Well, I would not say that she is the enemy of Gibraltar but there are many people who feel she is the enemy of Great Britain. In fact, I don't think she has got very much support in Chatham or Portsmouth. But whether we like it or not, unfortunately, perhaps, Mrs Thatcher is there for the next two years and although we don't have to live with her physically we have to live with her policies and it does seem that her policy, whether we like it or not, eventually is going to be a closure of the Dockyard. This is something, I think, that we will have to accept and realise with all the difficulties it may bring but what we have to do at the moment is not accept her drastic ruling that it has to close in 1983, we have to say and we have to fight as strongly as possible, that the closure should be delayed. It does appear that if it has to close at all that I would think that perhaps by 1995, well, Dockyards may not be quite so essential because surface fleets may not be there. But one of the essentials, and it does seem there is a possibility from what Lord Carrington has said, there may be the possibility of movement by the British Government and we must use all our efforts and all our friends in Parliament and of course the Trade Union movement in Great Britain, to help us, if there must be a closure, to push the date back as far as we possibly can within reason. At the same time we must say to the United Kingdom: "If you are determined on this closure, then of course you must give us some viable alternative". By a viable alternative, I mean an alternative which will maintain the level of employment, maintain the level of wages. We don't want a breadline alternative. We, on our part, are doing as much as we can to find our own alternatives. I don't think we are wrong at all to look for possible alternatives, one of them, possibly, a commercialisation of the Dockyard but we are also, and we are going to have a consultancy going to look at other ways in which the economy of Gibraltar can be boosted. One of the ways which we are already working to, and from which we have had good results up to now, is to turn Gibraltar into a finance centre. I was privileged to hear a gentleman who is interested in Gibraltar being a finance centre, speak the other day and he gave some of the reasons why Gibraltar is chosen by finance companies as a possible finance centre. One of the most important factors that he brought out was that we have here a responsible Government and we have political

security. This is something that we have been very proud of up to now and something we must preserve at all costs. This is something which not all countries have. Another finance centre, Bermuda, came under severe doubt some little time ago and quite a lot of people who were willing to invest there decided not to continue in that area because of political instability. One of the things that we must have in Gibraltar is strong political stability and obviously that can emanate from good democratic principles as shown by this House. I don't want to labour the point, Sir, but there is somewhere in some people's opinions, that Britain does not owe us a living. That may be so, Sir, she may not owe us a living but she does not owe us a dying either.

HON A T LODDO:

Mr Speaker, there comes a time when to denote, except or approve, one must do more than just rap a table or nod. I believe there comes a time when every man must stand up and be counted. It is often all too easy to ride with the tide when it is popular. It is just as easy, but obviously not as pleasant, to bow to intimidating pressure and also ride with the tide. I believe that such a time is now. I also believe that as elected representatives of the people of Gibraltar, we should all today stand up and say our piece, make our contribution whether it is a long one or a short one but make our contribution so as to leave Her Majesty's Government in no doubt at all as to the unanimity of Gibraltar on this great problem which we are faced with today. I said on a previous occasion that the problem which we face today, and it is one of survival, no more and no less, is a problem that is not of our own making and therefore it is not up to us to offer solutions to this problem; it is up to Her Majesty's Government to offer the solution. But it is not good enough to say the Dockyard cannot close because the Dockyard can close. Oh, yes, it can close. The question is, if it should close what is Her Majesty's Government going to do about it? I believe that it is up to Her Majesty's Government to offer us possible solutions should the Dockyard close and it is up to us then to study these solutions and if we find them practicable, if we think they are viable, if the suggestions are sound, we accept them. If they are not, we reject them. However, what we must insist on is that these solutions such as they might be, work before any closure takes place and one thing that is obvious is that no matter what solutions are offered, the time factor is certainly not long enough to implement these solutions and see whether they work. I believe it is Her Majesty's Government's responsibility to ensure that the Gibraltar economy remains viable and if the pledges of successive British Governments, both Labour and Conservative, are to have any meaning, if their pledge to support and sustain has to have any meaning, Her Majesty's Government must ensure that Gibraltar remains viable otherwise the pledge of support

and sustain could very well become one of purport to sustain. Having said this, Mr Speaker, I would humbly ask the House to forego any acrimony and for the good of all Gibraltar which I am sure we all have at heart, that we unite for ours is a common cause and united we will stand, divided we will certainly fall. I was going to say that we should show solicarity but under the present circumstances I don't think it would be an apt word to use. But, certainly, I can use the word "unite" and I hope that when we leave tonight it will be a united House for a common cause. Thank you, Mr Speaker.

HON A J HAYNES:

Mr Speaker, I would like to make a short contribution. It is a point which I don't think has been mentioned till now and that is the matter of British Nationality. I think that the fact that the British Nationality Bill is safely behind us and to our benefit in favour, is something which we must not forget and from which we must take strength. If we had not won that particular battle how much more despondent would the feeling be in Gibraltar today not only because we would feel more suspicious, more threatened, but also because we would be faced with the implacable and irreversible side of Her Majesty's Government. Yet the fact that we won the Nationality Bill issue means not only that we have a new status, a new pride in our citizenship, but it also means that we have seen and we know how to reverse even the decisions of Her Majesty's Government. I am sure one may say that however important and however dear to most of us the issue of the nationality was, it cannot be compared with the issue of the Dockyard. I would agree that one is a fight of principle and the other of economics but the way, the pattern of the fight, will be identical to that adopted in the matter of nationality and in that one I will remind the House we won as a result of a united House, as a result of delegations from this House going to London and I think, when the time comes, we should consider sending an even larger delegation to London than we sent for the Nationality Bill and, if necessary, all fifteen Members of this House should go to London. As I say, Mr Speaker, the pattern of that struggle was first and foremost a Gibraltar view, a united Gibraltar, and this was epitomised in the leaders who collected together and formed the policy and in the petition which was signed generally throughout Gibraltar and armed with that our friends in Parliament commenced the battle. We all know the various stages that went through and we all know how resounding the victory was in the House of Lords and how the effect of that victory actually undermined Her Majesty's Government's opinion and confidence in her ability to win even the next stage in the Commons. With those friends, fresh from our last battle, satisfied of the victory they last achieved for us, these same people will take up the struggle on our behalf but only if we do two things. One, we provide a united front and in this united front I don't think it is the role of the Trade Unions to

play the lead, and they should be subservient to the House of Assembly, and I would endorse my colleague's remarks that the Honourable Member's motion went a bit too far, so not only must we have the unity of the House and the people, we must also have a re-affirmation of our conviction and faith in the British Parliament. I know my friend probably cannot extend that to the British Government but he should make clear that he extends it to the British Parliament because though the British Parliament may not consist of individuals all to the liking of the Honourable Member and, certainly, people like Frank Hooley are not popular figures in Gibraltar, the fact remains that the individuals of the Parliament have shown their support for us and if we plan a campaign similar to the one that we adopted on the Nationality issue, we will succeed, I am confident of that. But we must show our faith in the British Government even when the going is difficult otherwise our friends in Parliament will not be able to rally the support that will be needed. If there is no conviction in their cry to the Government for a better deal, then we will not succeed and, therefore, I would call on those of little faith like the Honourable Mr Bossano who showed little faith at the time of the Nationality Bill, to listen to our friends and to my colleague, Major Peliza, and to accept a united policy.

MR SPEAKER:

I will now call on the Honourable Mr Bossano to reply to the motion.

HON J BOSSANO:

Yes, Mr Speaker, it is a lot to reply to and I shall try and take the advice of the Honourable Mr Loddio and keep acrimony out of what I have to say despite the fact that I am in an advantageous position of following all the other Members at the moment and having my back covered since I cannot be followed any more by anybody else. I don't think one should mislead oneself, Mr Speaker, and therefore let us be clear to the extent that I am supporting the amended motion and the reasons why I am doing it. I have tried to explain it but I don't want either members of the House or members outside the House to be misled or to misunderstand my position. Whether that position happens to be popular or unpopular is irrelevant, really, I have in my years of political life in Gibraltar known periods of great unpopularity as well as periods of great popularity and I am prepared to face either one or the other when I am convinced in my own mind that I am acting in confidence as I should in protecting the interests of the people of Gibraltar. I don't dispute that other people's motives may be identical to mine but I certainly have the right to question whether the course of action that they want to embark on is going to produce the result they wish, just like they question mine, and I hope that when people question mine they may be questioning the wisdom but they are not questioning or putting

into doubt either the motives or the integrity with which I pursue those motives. I hope nobody in this House would suggest that I would want to see a Gibraltar in any shape or form connected to Spain or coming under Spain or being subservient to Spain or being autonomous under Spain or anything else that can be conceived. I don't think anybody that knows me can possibly believe that I would work for such an objective. But I must say that in my estimation it is Gibraltar that is being intimidated and not the Members of the House by the presence of a few thousand people outside who came here at the behest of the Gibraltar Trades Council in support of a motion which, logically, one can expect them to seek support for because it endorses their decision. It is only natural that the Trade Union movement should seek from the House of Assembly support for a motion that I bring which endorses the decision that they have taken which is to oppose the Dockyard closure, to fight the Dockyard closure. We have had speeches here which are fighting speeches, Mr Speaker. The Honourable Major Peliza started off with a fighting speech and then halfway through it, he comes to the conclusion that we have to be very careful and that we can't afford to spit in somebody's face because we might get a black eye. Well, as far as I am concerned, somebody has just spat on my face and he is not saying to me that I musn't spit in somebody's face, he is saying to me I can't afford to give whoever spits in my face a black eye because I am too small. I have been small all my life, Mr Speaker, and I have never allowed people to spit in my face so I cannot accept that philosophy, nor do I accept that we gain the respect of the British Government by being willing to put up with whatever they wish to do in Gibraltar because we don't have to as far as I am concerned and the respective sizes of Britain and Gibraltar are not a consideration in this matter nor can I accept that I should be told in this House of Assembly by Members who say they have got more trust than I have in the British Government and more faith than I have in the British Government, Members who have no difficulty in reminding people of the preamble to the Constitution, nor can I accept that I should be told that if I am not prepared to play ball with the policy of the British Government, then I am putting at risk the protection that the Constitution gives me and the protection that the preamble of the Constitution gives the people of Gibraltar. That is unacceptable, that is blackmail, that is intimidation, and we cannot have a situation where we are told: "Well, you either accept the closure of the Dockyard, you either accept a commercial Dockyard or else you are putting at risk the respect for the wishes of the people of Gibraltar on the issue of sovereignty". Because if the British Government is willing to disregard that commitment, and I am not saying that it is, but if it were willing to do it, then they could do it any time it suited them and if we said yes to the Dockyard it will be something else tomorrow. We cannot accept that sort of philosophy, we cannot accept that because we stand up and defend our rights we are going

to lose the most fundamental of those rights which is the right to decide our own future, the right of self-determination, the right not to come under the sovereignty of another state against our wishes, because we will not do things the way the British Government wants them done particularly when it is not a decision which the British Government can legitimately say represents the will of the British nation because, in fact, a very substantial part of the British nation, the Labour movement in the United Kingdom and the Trade Union movement in the United Kingdom, recognises that this puts at risk the existence of Gibraltar, it is a national disaster, it isn't a factory closure. I understand that some clerk in the MOD may be given the brief of producing five million pounds of cuts and say: "Right, we'll take away a filing cabinet from the Admiral in the Dockyard", but I cannot accept that a decision of this magnitude is taken under those circumstances. The Chief Minister has said that he had made it absolutely clear after the White Paper. He may have been taking a line with the people of Gibraltar that there wasn't an imminent danger but privately he was making absolutely clear to the British Government the consequences of the closure of the Dockyard. He has told us that and I have no reason to disbelieve him. The Dockyard study which the British Government is aware of, spells out this implications in no uncertain terms. I have heard Members of the Government side express quite revolutionary opinions in the Governor's consultative committee. It may be that people don't share my view that those revolutionary opinions would be better expressed publicly and, perhaps, I am wrong in my view, perhaps it is right to express them privately and not publicly but I think that quite frankly the pressure is only brought to bear when we convince the British Government that we mean business. The House, in its wisdom, has not been able to endorse a decision taken by the Dockyard employees to oppose the closure. I stand fully behind that decision. I will support it as a Trade Unionist and I will support it politically and I will not identify myself with anything that undermines the opposition to the closure and that I must make absolutely clear, Mr Speaker. I have gone along with this motion because I prefer not to divide the House and I prefer not to quarrel with Members of the House if it can be avoided because they are not responsible for closing the Dockyard, but I will certainly quarrel with them if at some stage in the game they start trying to undermine the will of the people to fight the closure. I will certainly quarrel with them then and I want to be absolutely clear from the very beginning as to where I stand. The Honourable Mr Loddo, Mr Speaker, said it is up to the British Government to offer us a solution, up to Her Majesty's Government to offer solutions and we study them and that the solutions must work before any closure takes place and that it is up to the British Government to ensure Gibraltar's economic viability. I agree with every word, every single word I agree with but we are being told by the British Government that they don't agree with him because they announce the closure

and they have not yet made any specific proposals as to what the alternative to that closure is and because they have tried to create a situation and I am willing to repeat here what I have said whatever the Chief of Fleet Support may say, because I was there, there were other people there, we heard him say it and I wrote it down when he was saying it, Mr Speaker. What was being done was absolutely clear, there was no doubt in anybody's mind. He said at that meeting: "Chatham will close, Portsmouth will be run down and the same is the position for Gibraltar. There is simply no work available and nothing that the Unions will do is going to change that". That was the message of the Chief of Fleet Support. And then he went on to say: "What happens after 1982 depends on you. If commercialisation is what your Government wants we will try to provide some work. There will still be competition for this work but we are anxious to help the Gibraltar Government to start a new industry up to present international requirements if that is the way the Gibraltar Government wants to go". One can make a mistake about what one is saying but what one cannot do is keep on using the same phrase again and again and again, without it being the clear intention to show that what they were doing was being very sympathetic to our predicament and helping us out in the solution that we were putting forward. That is not what we want.

HON CHIEF MINISTER:

I think we have aired this matter, Mr Speaker. I told the Honourable Member that I was not going to sit in judgement, nor was it my business to sit in judgement as to whether what the Chief of Fleet Support said he says or what Mr Bossano says the Chief of Fleet Support said. He knows and he has accepted earlier on today, that the question of the commercialisation of the Dockyard is not the idea of the Gibraltar Government. That has been made clear whatever the Chief of Fleet Support may say, or may have said.

HON J BOSSANO:

Yes, Mr Speaker. I am quoting what the Chief of Fleet Support said because it is consistent with what other people have said and in reference to what the Honourable Mr Loddo said that the position that we should take is: "We are opposed to the closure and if you insist on closing it you tell us what you are going to do about it". That position is the position of the Trade Union movement and it is the position that we must adopt and we cannot at the same time as we are doing that be making ourselves proposals, we cannot be doing that, and therefore I would remind the House that on the 26th November the Press Release from The Convent said "In pursuance for proposals for commercialisation it was agreed that a manual describing the range of facilities etc.". In a meeting with Mr Fergusson, Mr Fergusson is interviewed on television, he is asked "Did you make any proposals?" and he said "No, the United Kingdom team

made no proposals". If there are two sides in a meeting and one side comes out saying "I made no proposals" and there is a joint statement saying there have been proposals it is not surprising that one comes to the conclusion that it is the other side that has made the proposals and that seems to coincide with the allegations that some people are making.

HON CHIEF MINISTER:

May I ask the Honourable Member because otherwise we are going to be here very long. Does he accept my assurance that commercialisation was not the Gibraltar Government's idea that there are three parties to the problem, there is the British Government, the Gibraltar Government and the Study Group Report?

HON J BOSSANO:

I accept entirely the assurance that the Chief Minister has given me and I am trying to show that there has been a deliberate attempt to create the opposite impression and I am very glad that the Chief Minister has made it absolutely clear to the British Government that they should not continue to do this because I think the British Government has been trying to pass the buck and we must not allow that to happen. I am making references to show how I consider there are too many coincidences to be simply coincidences. I find it very difficult, Mr Speaker, to see how the Deputy Governor can go to a meeting of apprentices and say that it seems highly likely that we would be wise to gear ourselves to the changes involved in a commercial dockyard in Gibraltar. I asked him on whose behalf he was saying that and he said he was expressing a personal view. We have had a debate in this House about how controversial it is for a schoolteacher not to have to resign before he stands for election and here we have the Deputy Governor expressing his personal view in public advocating commercialisation which is not the policy of the Gibraltar Government and he is a civil servant. That is another slip of the tongue but there are too many of them and therefore I endorse entirely the view put forward by Mr Loddo but therefore I must make it clear that having endorsed that, having been able and happy to identify myself with the fighting part of the speech made by the Honourable and Gallant Major Peliza, I cannot and I will not at the same time in practice be a party to any watering down of the struggle that lies in front of us. I have to make it absolutely clear that we would be doing, in my judgement, a disservice to the people we are seeking to defend and because I think that we would be doing a disservice I will not be a party to it and if other people do not share my view then that is a matter for their judgement and a matter for which they will have to answer if they are wrong and I will have to answer for my position if I am wrong, Mr Speaker. But I must make it absolutely clear that I think we would be doing people a disservice if we actually embarked on a campaign and tolerated

the implementation of proposals for closing the Dockyard beginning now. Certainly, any attempt to do that will be opposed by the people directly involved. Any attempt by the British Government to start the run-down of the Dockyard will be opposed by the people working in the Dockyard because if they are fighting to stop it they are not going to actually help to bring it about, it is logical, and I certainly think that members should think very seriously if that starts happening before they go along and start pointing a finger at those people and saying that those people are being obstructive or those people are endangering Gibraltar or anything else because they are not. What they are doing is what they said they were going to do, they said they do not accept the closure and the Trade Union movement has said on their behalf that if at the end of the day the Dockyard cannot be kept open for the foreseeable future, nobody either in this House or anywhere else can give an indefinite commitment about the Dockyard or about anything else in life. Nobody can guarantee the future of anything indefinitely but we have been told by successive managements in the Dockyard, by successive senior people from the United Kingdom that the Dockyard is secure for the foreseeable future. They have always said the foreseeable future is as far as we can foresee it today. The last time the Chief of Fleet Support was in Gibraltar he said that he could guarantee that the naval base was secure for the foreseeable future. That is no longer good enough, Mr Speaker. It is not good enough for the simple reason that is what we were being told yesterday about the Dockyard. The time scale of foreseeable future has now been shortened to such an extent that it has lost all meaning and this is why people are saying that if they have done this with the Dockyard today what is to stop them doing it with anything else tomorrow? What guarantees have we got anymore? Are we just going to stay here and let it happen piecemeal? I think that is the genuine feeling at grassroots level and people therefore are prepared to go further on this issue than they have ever gone before because really they feel that they are risking very little. The man who is under threat of redundancy is not risking his job, he either accepts the redundancy and gives up with very little prospect of employment elsewhere or else he fights and if he loses he finishes up without a job which was anyway the fate that awaited him. It has to be understood therefore, Mr Speaker, that the time table discussed on 26 November or just prior to that, which was a timetable broadly acceptable to the United Kingdom team, a timetable of the MOD deciding by the middle of December what land they wanted to keep and what land they wanted to let go, people being invited to tender for the land the MOD wanted to release, the tenders being closed at the end of February or the beginning of March and then a project team being sent out to assess the most viable project or the most attractive tender and an agreement being done by the autumn of 1982 so that the takeover of the Dockyard by a private firm could start then,

that is inconsistent and incompatible with the commitment to oppose the closure, a commitment to make the British Government change its mind, a commitment to put the responsibility on them for finding a viable alternative and therefore as far as I am concerned, Mr Speaker, if that timetable is proceeded with by the British Government, the people whose cooperation is required to make that timetable work will not give that cooperation and I am telling the House as a politician and as a member of this House who has got intimate knowledge of the problem and of the Trade Union movement that I shall lend my political support and my political weight to the attempt to prevent that timetable from being carried out because in my judgement if we actually allow the rundown of the Dockyard to begin in 1982 while we are lobbying people and sending delegations and so on, by the time we actually got round to convincing the British Government it would have happened already and that is an important consideration that we need to take into account. When the Honourable Member was talking about urgency he could not be more right about the urgency of the issue and this is why one needs to be so careful not just about the things one does in an industrial situation but also about the things one says at a political level because I can see the validity of saying we cannot sit with our hands crossed and wait for the Dockyard to close and we are landed with a problem, I can see the validity of that, but I can also see the inherent risk in producing plans which must of necessity make somebody somewhere who is looking at us doubt about just how great our commitment is if we are actually coming up with solutions to a problem which we say we do not have to find a solution to and we are not prepared to accept failure on and are actually producing a whole range of solutions and not even producing them for our own consumption but actually exchanging proposals with the British Government on a situation which would only require the implementation of those proposals if we failed in the task we have set out to do and we are looking at the proposals we have already started. When we are talking about unity of purpose I would agree entirely. Unfortunately, I can see that there are going to be certain fundamental areas where it is going to be difficult for other members to go along with me and for me to go along with other members and I would hope that at best we should be able to avoid the areas of possible disagreement so that we can all channel our energies in different spheres to disagreeing with the party that we should be disagreeing with which is the party that is responsible for creating what in my estimation is not simply the greatest crisis in our history but the crunch for Gibraltar which will decide whether there is a Gibraltar to talk about or live in or be proud of in the future or not.

Mr Speaker then put the question in the terms of the Honourable J Bossano's motion, as amended, which now read as follows:-

"This House condemns the proposed closure of Her Majesty's Naval Dockyard in 1983, takes note of the decision by Dockyard

employees and the Trade Union movement in Gibraltar and in the United Kingdom to oppose the closure and calls on the British Government to reconsider that decision and resolves to take steps, in consultation with the Trade Unions, the main representative bodies and Gibraltar's friends in Parliament, to persuade the British Government to alter that decision".

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

The Hon I Abecasis
The Hon J Bossano
The Hon A J Canepa
The Hon Major F J Dellipiani
The Hon M K Featherstone
The Hon Sir Joshua Hassan
The Hon A J Haynes
The Hon P J Isola
The Hon A T Loddó
The Hon Major R J Peliza
The Hon J B Perez
The Hon G T Restano
The Hon W T Scott
The Hon Dr R G Valarino
The Hon E J Zammit

The following Honourable Members abstained:

The Hon D Hull
The Hon R G Wallace

The Honourable J Bossano's motion, as amended was accordingly passed.

The House recessed at 5.05 p.m.

MONDAY THE 21ST DECEMBER, 1981

The House resumed at 10.45 a.m.

MR SPEAKER:

Before we start the proceedings of the House I would like to make a statement. At the sitting of the morning of Friday 18 December, 1981, there was an unwarranted and gross interference with the proceedings of this House by Mr Michael Feetham, a pressman representing the newspaper "The People". I have no doubt whatsoever that this interference constituted a grave contempt of the House and an inexcusable abuse of the privileges granted to pressmen by this House. I will not tolerate any behaviour of any kind by anyone which in my opinion would tend to inhibit the right of members to carry out their responsibilities in the House according to their

best precepts or indeed which could affect the dignity of this House. In the circumstances I have decided that the press privileges accorded to this particular pressman are hereby withdrawn and he is banned from entering the precincts of this House until further notice. May I state that the incident of Friday morning should not reflect on the press generally whose behaviour at all times has been exemplary.

MOTIONS

HON CHIEF MINISTER:

It is with the very greatest pleasure that I rise to propose the motion standing in my name which is:

'That the Honorary Freedom of the City should be conferred upon Dr James J Giraldi in recognition of his long, faithful and distinguished service to medicine during a period of over half a century and as an expression of the deep appreciation and warmest gratitude of the people of Gibraltar for his unstinted devotion and his concern for the health of the community'.

Dr Giraldi qualified in his profession in 1929. At that very early stage, there were already clear indications of the brilliant professional career that lay ahead. He won a gold medal and several other prizes at Bristol University. He returned to Gibraltar after qualifying and entered general practice. During the war years he served as Deputy Port Medical Officer and joined the Government medical service in 1945. He ran the new Tuberculosis Unit which was then opened at the KGV Hospital and it was in this area of medicine, after a number of years of devoted and successful work in general practice, that he made a very great personal contribution to the health of the community by eradicating the dreaded scourge of tuberculosis. That contribution was not confined to Gibraltar itself. Spanish nationals and others living in Spain benefitted from his skills at KGV Hospital.

Once tuberculosis had been eradicated, Dr Giraldi took charge in 1954, of the Medical Ward which was transferred from Don Ward at St Bernard's to KGV Hospital. Gradually, the KGV Hospital became the Medical Unit.

In 1960, Dr Giraldi commenced a Coronary Care Unit, having obtained a donation from Mr Daldas, which was then named 'The Daldas Unit'. In 1968, Dr Giraldi moved to the Mackintosh Wing at St Bernard's Hospital. A small Coronary Care Unit was established in Victoria Ward and this was later expanded by the opening of the present Intensive Care Unit, the money for which he obtained from the Ferrary Trust. Dr Giraldi was also responsible for the opening of the Endoscopy Unit at St Bernard's Hospital.

Dr Giraldi is too well known a figure in Gibraltar for me to have to elaborate on his personal or professional qualities. He is held in the greatest respect by the thousands of people to whom he has dedicated his skills as a doctor. But, more than this, he is regarded with true affection. Quite apart from his exceptional professional ability, he has throughout his very long professional career been distinguished for his total dedication to his patients. It was never too early in the day for Doctor Giraldi to be at work. It was never too late at night for him to attend to those who needed his help. Having reached a very great height in his profession there was no medical task, however minor, which he was not prepared to undertake at any time. Doctor Giraldi's distinctions are well known in Gibraltar. He became an Associate Professor of the University of Madrid in 1967, was awarded the OBE in 1952, the French Order of Merit in 1976 and the CBE in 1974. But his distinction and his repute are not confined to Gibraltar. Dr Giraldi is held in the highest respect and esteem amongst his professional colleagues in Britain and in other parts of the world. I said earlier that there was no need for me to elaborate on such a well-known figure. I think that my feeling and those of Gibraltar as a whole are best summarised and reflected in the act which we are performing today. The Freedom of the City of Gibraltar is a very rare distinction, and the mere conferment of that distinction on an individual says all that there is to be said. Since the City Council was first empowered to grant this honour, it has been conferred apart from the Royal Engineers, The Gibraltar Regiment, the Christian Brothers and the Royal Artillery, on only one individual, the famous Gibraltarian artist Gustavo Bacariss who received it in 1962. It is a sign of the importance of this honour that Dr Giraldi, when the motion is carried, as I am sure it will, will be only the second person in Gibraltar's history to be singled out for it. An essential element of the conferment of any honour, decoration or distinction is the public acceptability which it carries in any particular case. With Dr Giraldi I feel sure that public reaction goes beyond mere acceptability to warm and general welcome. The distinction is conferred by this House acting as the instrument of the people of Gibraltar as a whole - the City of Gibraltar. I therefore, Mr Speaker, beg to move that the Honorary Freedom of the City of Gibraltar should be conferred upon Dr James Giraldi in recognition of his long, faithful and distinguished service to medicine during a period of over half a century and as an expression of the deep appreciation and warmest gratitude of the people of Gibraltar for his unstinted devotion and his concern for the health of the community. I beg to move.

Mr Speaker proposed the question in the terms of the Honourable the Chief Minister's motion.

HON P J ISOLA:

Mr Speaker, I have great pleasure in supporting the Chief Minister's motion on behalf of my colleagues and I. It is

particularly a matter for great personal satisfaction for me, as the son of a great friend of Dr Giraldi, to be associating myself fully with the remarks made by the Chief Minister of this great son of Gibraltar who for a period of over half a century has done so much through his dedicated service and loyalty to the people of Gibraltar, for Gibraltar. I think it is highly appropriate that at this time in his career the people of Gibraltar should give due recognition to a man who has spent a lifetime in the service of the people. I wouldn't want any Honourable Member to think that that is the end of Dr Giraldi, I am very happy to see and I am sure all our colleagues in this House are very happy to see, that he does continue this great work although only in a private capacity and we look forward to having him with us for many years continuing to do the good that he has done for the people of Gibraltar in his field during this half century. I think, Sir, there are at least two Honourable Colleagues in this House who have not lived that long yet.

HON CHIEF MINISTER:

There are five.

HON P J ISOLA:

Are there more than two? Yes, five. I think it is a wonderful thing for Gibraltar, I think it does great things for our morale and for our spirit to be able to honour a person who has served Gibraltar with such dignity and with such dedication over such a long period of time. Mr Speaker, I fully endorse what the Chief Minister has said and I have great pleasure in supporting this motion and in supporting it, wishing Dr Giraldi and all those close to him a long and happy retirement.

HON J B PEREZ:

Mr Speaker, I have no hesitation at all to support the motion before the House. Only the other day it was pointed out by Dr Giraldi that he has been in the Medical Department for well over 40 years and as I am only 29 it is 11 years before I was born. Mr Speaker, I think that Dr Giraldi has been one of the stalwarts of the Medical Department for a very, very long period of time and this motion before the House, this proposal to confer the Freedom of the City has been handsomely earned by him and it is one which I am sure all Members will in fact support. Last Friday, Mr Speaker, I had the honour to host a reception for Dr Giraldi on behalf of the Medical Department and I was explaining to Dr Giraldi how difficult it is, or how difficult it was for me to be able to say a few words about Dr Giraldi himself. The reason I said this was because I feel it is very, very difficult to be original nowadays when one is saying things about Dr Giraldi because ever since his retirement was announced, not a single week has gone by in Gibraltar

where one association or one society or another have not hosted a reception in his honour on his retirement. But I think Mr Speaker, that on this occasion all I can say is that there is no need to say any words, the motion speaks for itself, and it is a motion that gives me the greatest of pleasure to support.

HON G T RESTANO:

Mr Speaker, earlier this year, during the Budget Session, when I didn't know that we would have this motion in front of us, I said that I wanted to pay tribute then to Dr Giraldi before his retirement as he is one of the pillars of the Medical Department. Dr Giraldi has so many qualities, Mr Speaker, that I won't go into all of them but I want to highlight two of them. The first one, the dedication of Dr Giraldi. He is a doctor who is a doctor for 24 hours a day. He is a doctor who devotes all his time to his patients. At any hour of the day and of the night he is prepared to go and see his patients and also to make research so that he can cure his patients. Secondly, I want to highlight his ability to inspire his patients. All that Dr Giraldi needs to do is to enter into the patient's room for that patient to feel better already. Mr Speaker, Dr Giraldi is one of the leading citizens of Gibraltar and it is only fitting that he should be granted this honour. It gives me great pleasure, therefore, Mr Speaker, to support fully this motion.

HON FR R G VALARINO:

Mr Speaker, Sir, I am completely in agreement with this motion as moved by the Honourable and Learned the Chief Minister. It is indeed an honour for our city to be able to confer upon Dr Giraldi the Freedom of the City of Gibraltar. Dr Giraldi has developed his life around his medical practice which has been his dedicated work and overriding passion. He has been of great help medically to everyone in Gibraltar, specially during those many difficult years when tuberculosis was present. I am also very proud that this distinction should be conferred on a colleague who I know well and have got to know very well both personally and professionally. As one of the first who voiced this idea and as his only colleague in the House, I have the greatest of pleasure in endorsing the motion. Thank you, Sir.

HON MAJOR R J PELIZA:

Mr Speaker, this is one of those occasions where I cannot resist standing up and expressing a view. It is perhaps one of those rare occasions when I can literally say that I agree with every word the Chief Minister has said and that of the Opposition as well, Mr Speaker. Perhaps, I should at this stage declare an interest, Mr Speaker, in case anyone might think that in standing up and supporting this, I am almost bribing Dr Giraldi, because I remember when he first came to

my house, I must have been very young. I won't say my age because I don't want to make him look any older, in fact, he looks very well. I can almost hear him running up the steps, he always used to run about, I think he was a very agile and still looks very agile. I think my parents were one of his first patients in Gibraltar. It is one of those families which owes Dr Giraldi a great debt of gratitude. He saved my father's life and he enabled him to carry on living for many more years to a ripe age. He did the same thing to my mother and to my aunt, and I am sure that there is hardly a family in Gibraltar who hasn't got the same gratitude to offer to him. What, therefore, Mr Speaker, more appropriate that his honour should be that of the people of Gibraltar. Many honours can be given in other places, higher or smaller, deserving or underserving but I think the greatest honour a man can have is that which comes from the people that he served. The Freedom of the City is such a rare honour that I doubt whether there is anything more than we can do. But I think if we analyse Dr Giraldi, it is more than just talking about an achievement of an individual, Mr Speaker. We all know that he has a tremendous brain, a great capacity to remember things and then to put them into practice. But the beauty of this is that he has applied that to what man perhaps looks most to - life. He has given his life to life in a practical way and this is why, Mr Speaker, the people of Gibraltar think of him so highly because obviously health is worth much more than wealth and he has been the provider of health in Gibraltar. We have seen what he has done in the two greatest killers, chest and heart. In that field, Mr Speaker, he has done tremendous work in Gibraltar. I doubt, Mr Speaker, whether if we could be able to quantify proportionally in the world there might have been other people who have done as much as he has done, it is of course impossible to quantify but we all know that Dr Giraldi has done tremendous work here and I think this generation and generations to come will always have tremendous admiration for this man. It is therefore very appropriate that we should place it on record in the way that we are doing so that as old generations move and new generations come, his name will live forever in Gibraltar as an example to others of how they should follow in his footsteps. One point that has not been mentioned, Mr Speaker, is the question of his dedication to sport as well. When you mention Calpe Rowing Club you are almost saying Dr Giraldi. I think he has played a tremendous part in that sport and I believe that in other sports too, such as hockey and cricket. I don't know whether he ever had anything to do with water-polo, I don't think so, but I think Mr Speaker, that perhaps he is the inspirer of another thing that is very good for our body which of course as you know I take very seriously, I do my jogging every day and cycling as a lot of other people do, but I think he does understand the importance of our health which again people should bear in mind, to carry on looking after yourselves.

After all, we look after our cars and we often very seldom think of looking after ourselves in that respect. I would say he is the great Gibraltarian in our time and for that it is more than fitting Mr Speaker, that we should pay this tribute which I hope, Mr Speaker, without addressing any person in the public gallery today, that he will enjoy it for many years to come and perhaps we should wish both him and his wife a very happy Christmas and also his family in the United Kingdom who I am sure will be very happy and pleased on this occasion. A very happy Christmas and many more Happy New Years.

HON H J ZAMMITT:

Mr Speaker, Sir, the Honourable Major Peliza stole the sporting side of Dr Giraldi's tribute from me. He has been one of the most outstanding contributors to sport over many, many years. I was in England in 1961, attending a pretty important party, when someone came over to me and seeing a Gibraltar tag said to me: "Do you know Professor James?" and I said: "I am afraid I don't". This gentleman happened to be the President of the Royal College of Physicians in England and he called his wife over and said: "Darling, what is Professor James' name?" and she said: "Giraldi". And I said: "Of course I know him, I know him very well indeed". "Well", he said: "he comes over here and gives us all lectures and talks, and tells us what to do". It made me feel immensely proud and I remember telling Dr Giraldi shortly after this person's name, which I cannot now recollect, I am sure he can. It made me very proud that little Gibraltar could have a physician of such eminence as Dr Giraldi who could show other people the kind of calibre that this little Rock can produce. Mr Speaker, apart from his medical attributes which have been expounded upon very amply, I think it has been said he is a leading citizen of Gibraltar. During my time as Mayor and looking round the photographs in the City Hall, I noticed he had been a City Councillor. One wonders how a man so deeply engrossed in medicine could find time to carry out his sporting activities, his Council activities and all the other activities that this man has so ably been able to carry out and at the same time in every single thing he got involved in he was always highly respected. There are few people that could criticise Dr Giraldi, certainly not in his medicine or in his leadership in the very many associations that he has participated in. Dr Giraldi was for a period of time Chairman of a body called the Gibraltar Sports Board which goes back many years and I think there was some particular problem whereby he was asked to take over and try and sort out the very many problems that Gibraltar was going through at the time with regard to sport. I think the highest possible honour that Dr Giraldi can be given, certainly by Gibraltar, is the Freedom of the City, of a City he loves so dearly and and a City that he has brought about to be what it is today.

HON J BOSSANO:

Mr Speaker, my party is glad of an opportunity that is given to the House of Assembly to express the appreciation felt by the people of Gibraltar for the services it has received from one of its most dedicated members. Mr Giraldi does not really need any honour from us or from anybody else because he is a man that is motivated by the highest honour that one can have in life which is that of being devoted entirely to one's calling. Anybody that has known him personally at work knows that he suffers from an illness himself and that is that he is totally addicted to work to an extent that many people would probably find intolerable if it wasn't for the fact that the nature of his work is such that it can only result in giving satisfaction to others, to those who are his patients and to the relatives and families of those patients who are appreciative of the good hands that a member of their family is in when he is being looked after by him. In proposing this motion and in voting on this motion effectively all that we are doing is being given an opportunity of saying publicly and of putting on record how the vast majority of the people in Gibraltar feel about Dr Giraldi but it is difficult to see how we can really look forward to Dr Giraldi enjoying in his well-earned retirement the Freedom of the City of Gibraltar. He already has the freedom of the hearts of the people of Gibraltar and I cannot see him marching up and down Main Street when the Royal Engineers or anybody else goes. In terms of scale of honours let me say that ideologically I am not the sort of person that believes in status or in privileges or in honours or in the need to confer them. It is the reality of life and of human nature and it will probably continue to be the case for very many years that it is not enough to know that one is appreciated, that it is necessary that that appreciation should be recorded and made manifest. I wish it were in our power to be able to use the system of honours that exist in the United Kingdom and to give Dr Giraldi, within that system, the highest honour that can be given to the extent that the Gibraltar Government is in any way consulted or in any way able to make suggestions in the question of Her Majesty's Honours List, then I think the Gibraltar Government should have no hesitation in the full knowledge that it counts with the full support of this House and indeed of the whole of Gibraltar of using that avenue. If it were possible in Gibraltar to use such a system then Dr Giraldi's place should be at the top of the list. We are doing what we can, it is a very limited thing, I think Dr Giraldi does not need the honours that this House or anybody else can bestow on him because as I said already anybody that knows him knows that the satisfaction that he gets from his work and that he has had all his life from his work is all that he requires and is all that anybody anywhere else should require and eventually we hope to live in a world where that is all that will be necessary. I fully support the motion, Mr Speaker.

HON M K FEATHERSTONE:

Mr Speaker, the Freedom of the City entitles The Gibraltar Regiment, for example, to march up the street with bayonets fixed. I am not sure if Dr Giraldi will march up the street with an unsheathed lance but if that were the case then I am sure everybody would be happy to see it done. I am very proud today to have served with Dr Giraldi as a City Councillor. I think that if the City Council had been on the United Kingdom system, Dr Giraldi would, in turn, have been one of the Aldermen and would have gone from strength to strength. I have known Dr Giraldi for some 40 years. He has been my doctor and he has been my friend and I think that one of his greatest attributes as a Doctor is that he puts you fully at ease from the beginning, you have entire confidence in him, he becomes your friend as well as your doctor and I am extremely happy to see that Gibraltar has been able to honour him in the highest way we can. It is something most eminently deserved and I join with everybody else in wishing him many years to be one of our great Freemen, a Freeman of Gibraltar.

HON A T LODDO:

Mr Speaker, most men go through life and leave not their mark, they leave no trace. Most men go through life doing a job. Most of them do a job grudgingly and grumbling. Occasionally you get a man who stands head and shoulders above his fellow men. He doesn't just do a job, he excels at it. He doesn't just excel at it, he does it with gusto, he enjoys it, and such a man is Dr Giraldi. Of his attributes everybody has spoken before me so I have very little to add. I am very pleased to associate myself with this motion and I would thank Dr Giraldi, on behalf of all of us here, for what he has given us. He has given us an inspiration to live up to. If we could all be as dedicated as he, Gibraltar would be a better place. I fully support the motion.

HON CHIEF MINISTER:

It is not difficult to answer in a motion such as this. First of all I want to make one or two points clear. The disease which Dr Giraldi suffers is now called workaholic and that as the other one which sounds a little like it, is scarcely cured so I think we shall have Dr Giraldi a workaholic for as long as he lives and that will be for the benefit of Gibraltar as a whole. I also have very happy associations with Dr Giraldi as a City Councillor for a very long time. I appreciate his contributions to sport and it is very proper that they should have been mentioned here. My main thesis, because the claim to the Freedom of the City is so unique, I dedicated my whole approach to his services to medicine lest we have other people claiming the Freedom for this or the other and that would be a very difficult one. With regard to the remarks made by the Honourable Mr Bossano I can assure Mr Bossano that the highest

honour that can be given in other places has been requested for Dr Giraldi and it is really not in the patronage of the Government to go beyond that but to go quite as far as one can go in that respect. It is fitting that so many members should have paid tribute. I hope he will outlive his one and only predecessor who lived to the age of 97, that was Mr Bacarisa, but I remember Mr Bacarisa who had been honoured in many ways in many countries despite the fact that he kept his British nationality, he had been highly honoured by Spain, he had been made a Freeman of Seville long before he was made a Freeman of Gibraltar. He had been allotted a beautiful penthouse so that he could have a lovely view of Seville and he could paint from his flat and I remember him on the day when the Freedom was formally granted by the Mayor, himself at the time, telling him in visible emotion that of all his experiences that he could not feel more honoured than being recognised and being so honoured by his fellow citizens and I think that must be the greatest satisfaction that it is within our power to do so and that we do so so happily.

Mr Speaker then put the question which was unanimously resolved in the affirmative and the motion was accordingly passed.

PRIVATE MEMBERS' MOTION

HON A J HAYNES:

Mr Speaker, I am afraid this motion will not be as happy as the last but it is within the ambit of the Minister for Economic Development's statement that the Opposition should keep Government on their toes. I have the honour to move the motion standing in my name which is that: "This House is gravely concerned at the continued and escalating housing problem in Gibraltar and fears that the problem will only become worse unless Government is prepared to re-appraise and revise the direction of its housing policy and programme as a whole and in particular as regards (1) modernisation and development (2) Social cases, medical cases and young applicants, and (3) the administrative structure of the Housing Department". It is therefore, Mr Speaker, quite a full motion and the motion is asking this House, and more particularly Government, to take a fresh look at housing because the sum total of the three areas listed in the motion as being in need of reassessment are equal to the whole of the Housing Department. The change therefore must be a radical change because the motion is phrased in radical terms. It is major improvements that are requested, not minor, and therefore we are asking for a radical reassessment. It is because of this, Mr Speaker, that we would ask Government to re-define their obligations, duties and aims and these must be clearly stated. I should say that the need for clearly stated policy is one of the shortcomings in this Government. When we do have a clear statement of policy and a detailed

analysis of Government's obligations and the rights of applicants, then we will be some way towards alleviating the housing problem. This brings me to the premise contained in the motion which is that all is not well with the Housing Department or the Housing front. I do not think that this can be disputed by any member in this House. I would say that it is the consensus of all Gibraltarians that we have an acute housing problem and if there should be any doubt that is is a continuing and escalating housing problem I would ask the Government to analyse the importance of having 1,800+ families on the waiting list. This is a figure, Mr Speaker, that does not seem to move, it is a stagnant figure. Since I have been in this House the figure has been 1,800, take or add a few, and that of itself is a cause for alarm. Not only is the figure very high in itself but there doesn't seem to be any inroads being made on that figure and this of course is due to the impoverished housing programme of this Government which is particularly severe in its effect on the younger people in Gibraltar who when they join the list join the bottom of the list. Another problem, Mr Speaker, again deriving from the same, is overcrowding and this in itself has another result which is greater stress within families which leads to medical problems, social problems and further degenerates the housing problem. Again, Mr Speaker, there is substantial sub-standard accommodation in Gibraltar and this is also derived from the same and leads to another problem which is the medical problem. Most of all, Mr Speaker, I would say that the housing problem is particularly acute and particularly hard on the youth of Gibraltar. By the youth I mean children, not on the housing list as such but living in poor accommodation and being subject to severe strain or stress and most especially being open and liable to medical problems on which I will elaborate further, and also to the youth in respect of the younger married couples. Very little is being offered to them and the longer the problem remains one of 1800 on the waiting list and nothing being done about it, the worse the problem will become. As I said, Mr Speaker, the three areas, provided of course the Government agree to this analysis of the problem, the three areas which I believe need revision in order to do something about those figures, are first of all modernisation. I believe the Government has fallen into the pitfall contained in a policy of modernisation. The necessity for modernisation cannot be doubted, we on this side of the House do not oppose modernisation in principle but there can be no doubt that modernisation has a substantial number of pitfalls and, unfortunately, this Government has fallen headlong into all of them. Modernisation may be necessary, it may even be cheaper, but it is difficult to control, Mr Speaker. I think the Wyles Report of 1970 was very instructive on the subject and it understood the latent defects. Amongst those difficulties and one in which this particular Government has fallen to, is that modernisation can and in fact has drained the energy and the resources of this Government in respect of housing. Mr Speaker, this is a very

important statement, I believe. I believe that what has happened is that modernisation has been the god of housing for the last five or six years and that as a result very little else has been done and this has exacerbated the problem because modernisation only helps a section of the community and not those who have necessarily been waiting longest on the Housing list. It is therefore arbitrary and random in the people that it helps and is not a step forward, it is a step sideways. You are bringing up to standard accommodation which already exists, you are not generating new accommodation and another problem in modernisation is that where a house can, say, hold six families before modernisation, after modernisation it is often the case that it holds less people. Perhaps, that is all it is meant to hold but what in fact is being done is that five families have been brought up to standard and one more has been added to the waiting list. That would be alright if there wasn't a substantial waiting list or a waiting list only required a certain minimum period in which to wait before being allocated a house but that is not the case in Gibraltar, Mr Speaker. And then, lastly, modernisation, I would say, is an administrative quagmire and that is why it has resulted in Government's energy and resources being drained. Modernisation of an area like the Upper Town Area results in the dispersment of your labour force, dispersment in small groups, Mr Speaker, which are difficult to control as a composite whole, are difficult to supervise as separate individual entities because they are all lost in different buildings or this room or that room, and it is difficult to give executive decisions of a cohesive nature in respect of many of the problems they may come across. It is difficult to assess in modernisation the extent of the work before it is undertaken, it is very difficult to quantify. It is difficult also to assess the time needed in order to do the work and practically, Mr Speaker, the administrative problems which I am referring to are better understood if one compares these problems with those which can be expected on a new building site, that is, where there is razed ground and what the constructors are doing is making something new. There again you may have some fraction or breaking up of your workforce but it is totally different in concept. There is much more facility for overall control. It can be seen, you can see the building grow, you don't lose your workforce in a building which is already there and that at one point it is less large or more walls are there, you can't see what is being done in a modernisation programme whereas on a building site with a new building you can see it progress, you can see how you are going, you can anticipate your problems with more clarity. I am not saying that a new building programme hasn't got any substantial problems, it definitely has, but in modernisation these are even more apparent. Mr Speaker, in short, this Government has bitten off more than it can chew by following the modernisation programme that it chose to. I would say that the modernisation programme has not been a success. We are in its fifth or sixth year and we are told that in this last year twenty one families have been housed as

a result of the modernisation scheme. Mr Speaker, if that is the fruition of all these years, it hardly needs further emphasis. We are in a sorry state where 21 families of your major development programme is all that you can produce for new housing. I wonder, Mr Speaker, how many families were moved out to provide these homes and probably the answer will be in excess of 21. The modernisation scheme has, for the claims that the Government makes about it being cheaper, has absorbed a large element or section of the public purse and hasn't been properly accounted for in that the results have not been up to standard. It has done very little for the overall housing problem in Gibraltar, Mr Speaker. Some people have benefited but I believe that the price has been too high. The housing problem has been particularly acute, as I said earlier, for the last two years and I say two years because I have been in this House for the last two years and in that time there has been little change but, in fact, it is more than two years that it has been as it is now. The acute housing problem which we have dates back to 1975, 1976, since the Varyl Begg houses were last allocated. It has been with us now for about six years in its present form and it is significant that the housing problem has been as it is now for the last five or six years because it is five or six years since we had any major or substantial housing project. I know we in the opposition are always asking for a major housing project and this seems to be ignored by Government but there can be no doubt that the only way to make inroads on the waiting list, the only way to do something about the housing problem is to involve yourself in a major housing programme. Of course, even before Varyl Begg, I am not saying everything was rosy before Varyl Begg, we had severe problems before Varyl Begg. I am not the official historian for this Government or for Gibraltar's last post-war period, but I would say that the Government in broad terms took on the responsibility for housing after the war and its answer then was the Alameda Estate and obviously then they were faced with a backlog in housing terms and of course a further substantial housing burden was developed on the Government of the day at the time of the closure of the frontier and then we saw the emergence of the Town Range Transit Centres. What I am saying, Mr Speaker, is that these substantial problems have affected and even affect today our housing problem but they have been tackled by previous administrations in one way and that is through the Humphreys, Moorish Castle, Glacis, the Laguna, the Varyl Begg, and all the other estates, that is the only way to tackle the housing problem. If today we had been faced with any of those two problems, with any of those sudden and unexpected backlogs that a Government can be faced with, we would today be in a far worse position and without a Government able or even ready to tackle those problems. We are thankful, Mr Speaker, that we haven't come across any natural disasters because this Government is already sorely stressed even with a normal housing problem and they have allowed it to escalate to the proportions that it has. The only way we can answer our

housing problem is through major new development. Government has strayed from the straight and narrow and we are asking that they reassess their position. We believe that the programme that they should formulate should have as its central pivot of policy new development and that as subsidiary arms to that development we should have modernisation because it is a necessity, we should have our rehabilitation also, we should have a more flexible approach to modernisation with new schemes being introduced as trial schemes in order to see if they are more successful than the present modernisation scheme. I would like to see greater participation by the people involved in modernisation as to priority listing, as to any compromise that it has to make. I believe modernisation is an extra service for which there will be much approval and which will naturally result in cooperation by those affected if it is approached in the right manner. I feel that the modernisation scheme does not take this into account, is fairly hamfisted, it has resulted in other problems which I will refer to later but I am not saying that it should be done away with. As a secondary part of that programme also we should have schemes as that outlined by the Minister for Economic Development which I am very pleased to see have been introduced though I am not confident that the Government is going to succeed in it, and other schemes like this. The Government will also have to reconsider the question of zoning in Gibraltar, the height of buildings and the furtherance of home ownership. The modernisation scheme must be small in proportion with its need within society and small also to further facilitate its overall control by Government. That is the only way you can do it, one area and small. But these general indications as to how we would improve the housing problem or how we would ourselves tackle modernisation and development, I will further expand on if I am given a clear indication by Government of a genuine interest of desire to treaty on this matter and to exchange ideas. At this stage we are not quite sure how they are going to receive this motion and I shall reserve my position. I will say that modernisation has resulted in a large number of houses being made vacant and these empty houses in preparation for a modernisation scheme which has never happened, have further exacerbated the problem. There can be no doubt of the number of houses which have been emptied in vain anticipation and these are listed in this rather long list of empty houses given to me as a result of questions. The Government should be doing something with those houses rather than leaving them waiting for the next four or five years or however long its going to take. It should also be noted that the people who have been moved out in a hurry saying: "We are going to modernise this building next year or in six months time, we have to move now" have been put to considerable hardship and its been for nothing. With the 1800 people that we have on the housing list who are urgently in need of a house, how can anyone explain away the existence of almost 300 empty houses which they cannot in any way occupy? Government is itself adding to the fires that burn in the people and their anger at the Government's dealing

in housing. This brings me to the second area which needs revision, the social cases, medical cases and young applicants. The fact that there are a serious number of social cases in Gibraltar is alarming. Primarily, Mr Speaker, because these are due to stresses from their housing conditions and they are all otherwise healthy, sane young people and these are subject to unbelievable pressures. Being recently married obviously brings its own problems, it is a difficult time in life when you have to negotiate and come to a compromise in terms of behaviour. If you are not allowed to do this in the privacy of your own house, if you have to live with others this is more difficult. If you have to live with others and sleep in appalling or cramped conditions that makes it impossible, and if as in fact does happen, you have to live apart or sleep apart, it is intolerable, Mr Speaker, and we have social cases of this nature. Are they dealt with immediately? No, Mr Speaker. This last year has been particularly bad as regards the Family Care Unit reports. There has also been some insensitivity in processing housing cases and this is something that I am certain should be eradicated and can be eradicated by the Minister. The Minister should take every care to see people personally whenever possible and he should be as careful in explaining their position as possible. That brings me to another problem. We are, regrettably, in a limbo stage in which the Department finds itself without clear indications as to who is the Minister. I hope we on this side of the House will be as helpful as we can on this matter because it is not a matter which gives us any pleasure or in which we have any interest other than a genuine interest that the matter be tackled as soon as possible. My personal predicament is that at the moment I am unable to attend to those individuals who have come looking to me for help and they have been stalled by me for the last two months and this is against my nature but as I said I am not prepared to at a personal level compromise the present Minister. However, I would like some help from Government in this respect and I think that I have been both fair and cautious in my approach to this genuine problem. This brings me to medical cases, Mr Speaker. I have asked questions on medical problems in the House and have not been given a full or satisfactory answer but I am confident that what I am saying cannot be denied by Government. The extent of medical cases in percentage terms is extremely high. This itself is worrying but what is appalling, Mr Speaker, and I don't know if it is a well enough known point is that the incidence of bronchitis in children is alarming. I just kept on seeing bronchitis, bronchitis and it didn't mean anything to me until I was informed that the principal cause for these cases of bronchitis is the dampness and the poverty of the living conditions of the Gibraltarian and it is particularly harsh hitting on children. Then at a later stage after I discovered this I saw a letter written by a young doctor at the Health Centre, commenting on a patient of five or six years of age. He again analysed there that the problem was bronchitis, that it was due to appalling

camp living condition and he went on further to say that this illness had been completely or almost completely eradicated in the United Kingdom, so much so, that when he studied this illness at medical school he had only been able to study it in text books, there had been no patients for it. And yet here he came and he found one after the other these children with this problem. Not enough, Mr Speaker, is being done to attend to the parents of these affected children. Again, I find insensitivity in this area and that should be totally unnecessary. I am always left speechless when I am told by individuals that they have been treated with insensitivity at the Housing Department, I can't understand it. Surely, there is a ministerial aim that should be put first and foremost, give a good service. You pay for it at the elections if you don't. Then we come to the young married people, an area of particular concern because the youth of Gibraltar are the future of Gibraltar and if we do not make provision for the future where are we, Mr Speaker? Of course, as I said earlier, it is the young married couples who are at the bottom of the list, who have the least hope and who are actually told by the Housing Department: "I don't know why you bother, you'll never be given a house". That is another area of insensitivity. This will lead, if it hasn't already started, to a brain drain in Gibraltar. The youth, when faced with no prospects as regards housing will be given no option but to leave and that is a problem that must be considered by this Government. I ask that Government make every effort to ensure that further incentive schemes like that proposed by the Minister which will only help two or three families, be introduced. I think the Minister's statement for development of the Government properties by the private sector underlies his own awareness of the problem but how can he possibly hope that three or four houses will solve the problem.

HON A J CANEPA:

Mr Speaker, if the Honourable Member will give way.

HON A J HAYNES:

Certainly.

HON A J CANEPA:

Has the Honourable Member read the statement properly, has he read the answer that I gave him to a question earlier in the proceedings? Would he care to have a look at the figure leaving out City Mill Lane, and tell me what that figure is?

HON A J HAYNES:

Mr Speaker, I don't have the figures in my head, I remember that it was only three or four.

HON A J CANEPA:

It was thirteen. The answer that I gave him was thirteen, leaving out City Mill Lane. I said we were dealing with a total of thirteen units.

HON A J HAYNES:

I hardly see that thirteen or four will make any difference when you have got eighteen hundred on the waiting list.

HON A J CANEPA:

Mr Speaker, but thirteen is not two or three. It is four times that and either we give the correct figures that have been provided in this House in answer to questions or the whole thing is a travesty if we are just twisting facts.

HON A J HAYNES:

I am not twisting facts. This is why I was prepared to give way. If the Minister is so angry

HON A J CANEPA:

Of course I am angry because you are twisting facts that I have provided for you in this House.

MR SPEAKER:

Order.

HON A J HAYNES:

You are angry because you have been told the truth.

MR SPEAKER:

Will you stop talking across the floor of the House and address the Chair. You will not give way again.

HON A J HAYNES:

The Minister's violent interruption only assures me that I am hitting on the point, Mr Speaker. Why would he jump up and down when it is three or four instead of fourteen.

HON A J CANEPA:

Mr Speaker, if the Honourable Member will give way. I will jump up or down, if he is not giving way then I won't of course.

HON A J HAYNES:

You will have your opportunity to answer this motion and inform me of any other travesties of facts.

HON A J CANEPA:

Mr Speaker, I warn the Honourable Member that I will deal with him on any other future occasion in exactly the same way myself.

MR SPEAKER:

Order.

HON A J HAYNES:

Mr Speaker, this brings me to the fact that there are 256 empty houses and not just 13 for the Minister to get on with and let him come up with some facts. Then we come to the administrative structure, and the problems ensuing from such. There is a need for revision in this area if Government is to reassess their housing programme. I would suggest that the administrative structure lack cohesion. We have four ministries involved in the Housing Department and that at crucial level there tends to be or it appears that there tends to be a lack of unison of purpose, there is the Minister for Economic Development who is in charge of the overall development policy, there is the Minister for Public Works who does the work in that respect, then there is the Minister for Labour and Social Security in charge of the Family Care Unit and then lastly, the Minister for Housing. He seems to have the least control or power over a housing policy and yet is there to take the knocks when the policy doesn't work out. I find that unsatisfactory, Mr Speaker. Just take the Family Care Unit alone. The fact that we had to wait so long for reports to be given and one Minister saying it is not his job, it is another Minister's job, that is not satisfactory, Mr Speaker, especially if one takes into account the importance of the individual complaint. One Minister should be in overall control of the whole housing policy or programme. He should be able to cut through the red tape between one ministry and another and now that they have told me that they do have such an overall authority then why haven't they been using it, Mr Speaker? I believe that there is not that cohesion, there must be more cohesion. Also, on the administrative structure, Mr Speaker, we have the Housing Department Committees which seem to be doing very good work and are, I hope, firmly in command. The DPBG have in their manifesto and on all other occasions given full support to this system and I would like to have this opportunity to state my wish to act as an observer on at least one occasion for both of these Committees. This has been the subject of correspondence and I would like an

answer from the Minister. Then we come also to other administrative structure problems, the waiting list figures, given to us after months of requests by the Opposition they suddenly announce that they will provide a list of five in respect of each of the departments. Mr Speaker, I remember when we first asked for this facility to be offered or given, we were told that it was impossible because the changes that occur on a daily basis are such that it would require either their whole team to work them out and yet, Mr Speaker, we have almost the same names appearing month after month after month. I don't think that this can be in any way called a trevesty of facts and if the Honourable Minister for Economic Development has not seen then I would invite him to examine these figures themselves and if that is the case it not only reflects that there is not much movement in terms of housing but that the Government can produce longer figures and we have been told now that there are, in the various categories, 155 bedsitter applicants, 432 two rooms kitchen, bathroom, 657 three room kitchen and bathroom, etc. We would like to see these figures put in the waiting list, in their terms of priority. Mr Speaker, to wind up, I would ask the Government to take these problems which I have enunciated in the spirit in which they are delivered and not so far as they have been responded to by the Honourable Minister for Economic Development. I would submit that perhaps the best way to start is with a new Minister, a fresh start. I would certainly say that they need a new policy. I don't think I need to emphasise further the threat that the housing problem means to the youth of Gibraltar and the need for this problem to be tackled. We, on this side of the House, Mr Speaker, have no message for those who ignore these housing problems in the hope that they will simply go away. If the Government adopts an unthinking policy of ignoring the problem, it is the youth and not the problems who will go away. We are not saying that we have all the answers, Mr Speaker, but at least we have the courage to face the facts, to identify the problems and to encourage Government to do something about them. Having said that, Mr Speaker, I await with trepidation the answer by the Minister.

Mr Speaker proposed the question in the terms of the Honourable A J Haynes' motion.

HON A J CANEPA:

Mr Speaker, I will be dealing myself with the elements of the motion dealing with modernisation and development and then my colleague the Minister for Housing will deal with the wider issues. It is extraordinary, Mr Speaker, how people can stand up in the House and accuse the Government of being insensitive and then perform and behave in the manner in which the Honourable Member opposite behaves regarding personal insensitivity. If the way that he twists facts and the way that he just callously rides over the intervention which one makes to try and rectify that wrong impression is indicative of the way

that he would just deal with individuals where he ever to find himself in the position of Minister for Housing, then I honestly don't know what there is to look forward to. Let me warn the Honourable Member that I will not in future take the same care as I have taken in preparing answers to questions which he puts where factual information is involved.

HON A J HAYNES:

Is that a threat, Mr Speaker?

HON A J CANEPA:

I am not giving way once to the Honourable Member opposite, Mr Speaker. There were earlier in this session two questions that required a great deal of work by top civil servants and myself. One in which I made a very detailed statement on the Port, which I could refused to have made having regard to the fact that I made a statement in July and, secondly, again the very detailed answer that I gave him with factual information on the redevelopment by the private sector of Government housing. But if thirteen becomes two or three then, Mr Speaker, thirty million can also be twisted by the Honourable Member in whatever manner it suits him. I don't do that in the House. Perhaps because it is my background as a mathematician to stick to the facts, I do not twist factual information and I resent when that is done and I resent when it is done for a shameful political purpose. At least one thing that the Honourable Member cannot say is that when they deal with me they do not know on what grounds they are dealing with and what are the principles that I subscribe to. The Honourable Member has failed to put the problem of modernisation and the building of new housing in its true and in its proper perspective. He has spoken glibly of the need for a major housing programme such as another Veryl Begg Estate as if the cost of such a programme was peanuts and as if the money for such a programme was readily available. Of course we would like to build seven hundred, eight hundred, a thousand houses if that were possible. Which Government wouldn't want to do that? It is popular apart from anything else but not only does Gibraltar itself not have the resources to undertake such a programme, but let me warn the Honourable Member and let me, in passing, warn the public, that there is not a great deal of sympathy in the Ministry of Overseas Development for Gibraltar's housing problem. If he doesn't want to accept that then he can behave in the manner that he has behaved here this morning. But, if it is a reality of life, then our ability to overcome what is our greatest social problem is very, very limited indeed. You cannot, Mr Speaker, build without bricks and mortar and Gibraltar at the moment is limited in the extent to which we have those bricks and mortar. A major housing programme of the size of the Veryl Begg Estate would, at a very conservative estimate, 700 units, by conservatively not allowing for inflation at all, at £20,000 per unit, entails the disbursement of £28m. The tenders for St Joseph's

and St Jago's Housing Estates were £40,000 but I can tell the Honourable Member that the estimate in respect of future building are higher than that. Faced with that problem, prior to putting out to tender the ten units at Catalan Bay, my colleague the Minister for Public Works called in contractors and apprised them of the facts. If it is going to cost in excess of £40,000 to build a housing unit, there is not going to be a great deal of building of new housing or any housing in Gibraltar over the next few years because we simply will not have the money for that and either because of the warning which my colleague gave the building contractors or because of the fact that the building industry is at this point in time going through a lean period, one was very glad to see that the tenders that were received were substantially less than £40,000 per unit and nearer to £30,000. On that basis perhaps we might be able to build more houses that will otherwise be the case for the next few years regardless of what response we get from the British Government because I am one who firmly believes that we have to harness our limited resources in continuing to build houses. I think we have an obligation to do so and if we have to tax ourselves to a greater extent I am willing to propound that policy with all the unpopular effects they may have. I am not in public life, Mr Speaker, for temporary popularity and I have in the nine years in which I have been in Government, I have indicated more than once that I am prepared to do what in my view and in the view of the Government is necessary. It may well be that the rents of whatever new housing we are able to provide will have to be higher, will have to be considerably higher but, again, I believe that if people who are faced with a serious housing problem are prepared to pay £55 or £60 a week rent for very sub-standard furnished accommodation, then I think if offered a new flat by the Government, they will accept that it is reasonable that they should pay £30/35 or whatever it is that they have to pay as a weekly rent. We may also have to seriously consider the finishes of our housing. We may seriously have to provide something which is less lavish. In the same way as at Rosia Dale tiles were not provided, we might well in order to cut costs, have to move in the direction in which we provide more a basic shell and allow people to spend from their own resources whatever they can in improving that. It happens in the case of private sector housing. One is aware of many young families who, when they are able to get their hands on a sub-standard flat in the private sector, will spend £3,000/£4,000/£5,000 in embellishing it and in improving it and that is the direction in which we may have to move if funds continue to be limited. I have already explained in the House here previously, Mr Speaker, if it matters at all what I say in answer to questions, that modernisation is not intended to figure in the next Development Programme as prominently as it has in the past. In fact, I think that the provision that we have in the next development programme for modernisation only amounts to 20% or even less of what we would like to build.

The accent will very much be on new housing, if at all possible. The modernisation programme and the reformation scheme is not arbitrary, Mr Speaker. Many of the people who have been living in flats that have been earmarked for modernisation have been living in those flats for many years under very difficult conditions, not having minimal facilities in respect of a toilet, running water, in properties which, as the Honourable Member said, are very, very damp and in being decanted into other Government housing and then, perhaps, returning. They have not been selected in an arbitrary fashion when many of them are applicants on the Housing list and very high up at that. The need for modernisation is self-evident, Mr Speaker, if the Upper Town that the Honourable Member spoke of is not to become a slum. It is the real Gibraltar and unless we are going to have a division whereby new housing is provided in the new areas of Gibraltar to the north and the south and the rest of the town is to be allowed to deteriorate into slum conditions, unless we are able to allow that the only way the problem can be tackled is for modernisation and the modernisation schemes are being successful in restoring the character of the old city. Flat Bastion Road, Tank Ramp, and now notably in Castle Road, Road to the Lines, a very successful scheme which is providing a very reasonable number of units, 28 or 29 new modernised units. Again, I should warn Members that it is true to say that with modernisation in the areas where access is difficult, the cost is high. This has been the case with Lime Kiln Steps but the alternative, as I say, is either to allow those to deteriorate to an even worse standard which would make them unfit for human habitation or else to put a programme in hand. To speak of insensitivity on the part of the Government, Mr Speaker, makes a mockery of the Honourable Member's concern. I do not know whether it is insensitivity on the part of officials, I do not think that there is insensitivity on the part of Elected Members of this House. I am very often surprised by the extent to which, for instance, the Chief Minister himself, with all the cares and duties of his high office, the extent to which in his compassion he gives time and interviews to housing applicants. This he does regularly and I am surprised, quite frankly, and I will say it publicly that the Chief Minister does this. I think that the response which people over the years have received from successive Housing Ministers has been one of concern and compassion for their problems but what we must not do, Mr Speaker, is to mislead people. If you are interviewing an applicant who has 300 points, when people at the top of the list have 700/800 points, you cannot tell that person that he has no problems and that he is going to get a house in 2 or 3 year's time, if that is not possible. You have a duty to tell people the truth and the fact that you tell them the truth does not mean that you are insensitive. Many of us on this side of the House know what it is to live in difficult housing conditions. I wonder whether the Honourable Member himself has first hand experience and first hand knowledge, either himself or in his close relatives of what it means to live in difficult housing conditions. I have, because I have lived

myself. I have seen my brother and my two sisters living in the same bedroom as my father and my mother and I myself living in a small corridor with a length of 8 feet with the main door on my left. Six of us living in a one-bedroom/dining room. I have experienced that myself and I have seen that in my relatives. I fail to see how that experience can make one other than compassionate but perhaps what it is easy or if not easy the temptation certainly is there on the part of the Honourable Member opposite, is to pretend that there are no constraints because every person that approaches him is a potential vote-catcher and when you are on that side of the House, Mr Speaker, that is easy, when you are on this side of the House for every 100 units that are allocated by the Honourable Minister for Housing, there are many more than 100 people who are dissatisfied and who think that they themselves have an equal or greater right and that is where I quarrel with the Honourable Member opposite. I thought that his approach would have been in concrete terms more well-meaning and not in the manner in which he just dismisses the real the the factual aspect of the situation. When I spoke the other day about the scheme that is in the process of being launched, I said, Mr Speaker, that it was a pilot scheme. It is one which may give precisely hope to young applicants who are very far down the housing list and who will have an opportunity in this manner to meet and to solve their housing problem. I said it was a pilot scheme and that if it was successful it could be followed by others because there is, of course, no point in having in the upper areas of town flats lying empty for 4 or 5 years. Of course, there is no point in doing that and if the Government for one reason or another is unable to do anything about that accommodation and if that accommodation cannot be left in its present conditions, then it is only right and proper that we should look for alternative means of utilising those resources in order to meet the problem. I am sorry, Mr Speaker, that the Honourable Member has somewhat marred what should have been a debate in which I think there are less real political difference on both sides of the House to the approach to the matter. The main difference being, of course, that we are the ones that have got the responsibility, it is us who have the problem of building housing and much as we would like the money just isn't there. If there are people in Gibraltar who think that the Government has unlimited wealth, then the sooner they are disabused the earlier that will be and, unfortunately, Gibraltar regrettably may have, if not next year, the year after that or the year after that, we might be faced with a situation in which people are going to be brought face to face with the reality of the situation and that is that the financial resources of the Government are only the financial resources of the people and that the only way we may be able to meet not only the problem that we are going to have in housing but other very serious social and economic problems, is going to be by taxing ourselves and to that extent and in that respect this Government has never been found wanting. Thank you, Mr Speaker.

HON J BOSSANO:

I think the contribution of the Minister for Economic Development contains a lot of factual and emotional matters which if we are talking about the direction of policy we need to take into account objectively. I find that in moving the motion, the Honourable Mr Haynes is asking us to support that the Government should recognise the need to revise the direction of its housing policy without having told us what he thinks that direction is or where he thinks the direction should be pointed to instead. I do not know what I am being asked to support or what I am being asked to criticise in the policy of the Government. I find that in the past, on more than one occasion, I have been told in this House by the Honourable Mr Haynes and his colleagues that their main quarrel with the Government is not a matter of policy but a matter of efficiency and a matter of administration and that if he was in Government he would be able to make the system work better. I find that difficult to believe if I am to judge by some of the things that I have heard him say in this House, but he may be right. My position is that I do not think the system can be made to work. My position is that I think the system needs changing and I am not sure whether he himself is asking in this motion for a recognition of that fact, for a recognition of the fact that the fundamentals of housing are the fundamentals that have been pointed out by the Minister for Economic Development and they are the fundamentals of the creation and the distribution of wealth. Are we talking about being willing to devote more resources to housing or are we talking about a belief that more can be done with the existing resources because the Government is mismanaging those resources. If it is a question of remanagement of existing resources and as I understood it the bulk of previous criticisms from the members of the Opposition other than myself in this House, the bulk of their criticism of Government has been a criticism of mishandling situations, of mismanagement of resources, of bad decision-making, but not of fundamental policy. In analysing his own motion, the Honourable Member devoted the bulk of his time to the question of modernisation. I agree entirely with what he had to say on modernisation. I have said it myself for very many years in this House that the amount of money that modernisation was taking up was in fact such that the modernisation programme was rapidly becoming the alternative to a housing construction programme instead of being a supplementary part of it playing a complementary role where it could be shown and that is the only way one can analyse it economically, where it could be shown that by devoting resources to modernising existing property, one could get a return to the housing stock which was greater than the use of those resources in new construction, then there is an economic case for modernisation. The question of rehabilitating property and maintaining property is not the same thing because that is another element which is not specifically

mentioned in this motion but which I think is a very important element and that if we just simply go on building houses and then allow them to go into dilapidation because we do not maintain them, then we will find ourselves not just simply building housing estates, building housing slums, huge slums which no future Government will be in an economic position to put right. That is one of the fundamentals, I think, of policy that needs to be reappraised, that we cannot simply talk about devoting funds to creating new houses without considering how those houses are going to be financed through a useful life, to the extent that the return on those houses will produce sufficient funds to maintain the quality of the housing stock. If we simply tax people in order to build houses and we find subsequently that the burden of maintaining the Government housing stock is swallowing all the Government's resources, any future Government will be in a colossal mess, Mr Speaker. Those are fundamental policy decisions which I would have expected the mover of the motion to be pointing to if he is talking about the need to reappraise and revise the direction of housing policy because I think this is where real dangers of a collapse of the whole of Government's financial structure because of the element of housing and the proportion of the Government's finances that are taken up by housing both through the chunk of the development programme that is devoted to housing and through the expenditure of maintaining the Public Works Department whose main vote is the maintenance of the housing stock. The mover said that the Government required to make a clear statement of policy. I would have thought that if we are all agreed that there is no clear statement of policy then we cannot do it to revise the direction of a policy if we don't know what the policy is. He said that implicit in the motion was the recognition that all is not well with housing. Well, I think there is no question about that. Nobody would say that all is well with housing otherwise we would not have housing being such a hot political potato as it is or the position of Minister for Housing being such an unpleasant one as it is. If all was well with housing then people would be fighting to be Housing Minister, not fighting to get out. I don't think anybody can doubt that all is not well with housing but I think that what one has to be clear about is whether to start off with, we are talking genuinely, if it isn't just a question of having a motion on housing here which people outside, and not people here because nobody bothers to come in and listen to us, Mr Speaker, unless it is something that affects somebody or there is a demonstration outside lobbying the House of Assembly which sometimes upsets people in it, apart from those rare occasions, I don't think we get a very large audience. If we are talking about a motion on housing which is obviously always a good political potato because people outside will just note that the word housing is the only bit of the motion they will understand what the rest of it means but they will understand the Opposition is pressing the Government on housing and

they understand that they haven't got a house and they also understand that they want one and they hope there is a connection between the possibility of their getting a house and the fact that we are airing views on housing here. If that is all that is happening, well, I am sorry that a problem as serious as this one is simply being used in that way. I hope it isn't so because I have heard the Honourable Member make what I consider to have been one of his most impressive and genuine speeches in this House when he raised the question of the people in Casola's Building and I think that that showed me that for him the housing situation was not simply a vote catcher but something that having come to knowing through personal contact, he himself is prepared to devote a great deal of his political energy to helping to resolve, and I hope that it is in that way that he is bringing the motion to this House and not simply, as perhaps has been suggested by the Minister for Economic Development in his reply, simply because it is a good thing to hit the Government over the head with. I can say that so far from what he has said I hope he will be able to say more on what he thinks is the policy that is required. There is really no problem in supporting the motion as it stands because the motion as it stands and in the absence of a clear cut statement of policy from the Honourable Member who is moving the motion which by implication would be what he would be expecting me to vote for, I have no problem in voting for this. If the House is concerned at the continuing and escalating housing problem in Gibraltar, well, I think there is no question about it, the House is concerned, if it wasn't concerned it wouldn't be a subject matter for us to be devoting three or four hours of our time to discussing it. I think the Government certainly needs to reappraise and revise the direction of its housing policy but I am not sure that what I think is its direction is what the Government thinks is its direction or what the Honourable Mr Haynes thinks is its direction and I am not sure the revision that I want is the one that he wants. As long as he leaves it as nebulous as this, I have no problem in voting for this and saying what the revision that is required is as far as I am concerned. I certainly agree with what he has said about the modernisation and development. I am not sure what is the policy change that is required in social cases, medical cases and young applicants and I don't think one can say that a policy change is required because people are insensitive in the Housing Department. Whether they are insensitive or not is, I think, dependent on who you are, really, in terms of the treatment that you get and how willing you are to accept that treatment. Some people are made to wait a very long time for an interview and never complain because it is not in their character or personality to do it, some people get interviews every week and still want to go there and string everybody up. In any case, even if it was the case that the Department was insensitive, the policy in terms of asking for a change of direction of policy, the policy must be either as I see it to give more weight to these people at the expense of other.

applicants or to give less weight to these people and give more to people who have been on the waiting list or people who have got bad housing conditions. If you say social cases are more important than people on the waiting list, or people with sickness, that does not do anything to solve the housing problem for the whole community. That does not do anything to increase the stock of houses. All that it does is that it means that the person on the waiting list will have to wait longer because the social cases will get it earlier. I am not myself sure whether the balance is right today as between these categories and people who are in different categories, nor am I sure myself whether the balance needs to be changed more in favour of these cases and less in the favour of other cases, I am not sure. I am not sure either whether the mover of the motion is seeking, in fact, a greater proportion of houses for this category that he has mentioned at the expense of other categories or not. I am not sure if when he is talking about the need to reappraise and revise the direction of policy as regards social cases, medical cases and young applicants is he saying, and I am not sure that there is a special category called young applicants, I don't think there is, but if he is saying we need to have, say, fifty per cent of houses for social cases, medical cases and young applicants, and that is the direction the policy should take, then it is certainly something that needs a lot of careful thought. I can assure the Honourable Member that one of the things that I think one needs to do in terms of social cases and medical cases is to make sure that they are 100% genuine. It is sometimes possible to produce a very strong case which is very difficult to fault on paper but which is not necessarily an accurate reflection of the predicament of the people concerned and there may be other people in worse situations, through overcrowding, through bad physical housing conditions or who have been waiting very patiently and uncomplaining for many, many years. If we are talking about being fair to people, then I think the House would support 100% the production of a fair system in which priority for housing reflected need for housing and no other consideration. I think that is really what the aim of policy should be. If that is not Government's policy, then I think Government's policy should be clearly defined to the extent of saying: "First of all, can the Gibraltar Government take on the responsibility of providing a house for every single Gibraltarian family or every single family resident in Gibraltar that wishes to live in a Government House". If it can and it wants to do it then the target must be to house the whole of Gibraltar in Government housing and how can we go about achieving that target. I think that that has been implicit in Government housing policy since the war, without even being explicitly stated. By implication, irrespective of your means, irrespective of your ability to house yourself, you have been entitled to apply for a Government housing and go on to the waiting list. I can understand if this is something that the United Kingdom Government is aware of, I can

certainly understand why there would be very little sympathy in GDA. We had a recent case, Mr Speaker, of a court case in the United Kingdom where somebody was fined a considerable amount of money, something like half a million pounds or something like that and they mentioned the address on FPC. I wonder what the reaction would have been in the United Kingdom if it was said that that was a Council house, is people understand Council houses in the United Kingdom, and the sort of sympathy that would elicit for aid from the United Kingdom to build more Council houses, for whom? The United Kingdom and the United Kingdom local authorities are in a different situation admittedly where people have got an opportunity which they don't have in Gibraltar and which it seems very difficult to provide in Gibraltar, where people have an opportunity to provide housing for themselves at reasonably modest cost, the policy that has evolved in the United Kingdom really is that public housing is something that acts as a safety net ensuring that nobody is without a roof over their heads. I think in Gibraltar if it was ever the intention to do that, then certainly that is something that we have failed to do because we have got the two extremes. We have got people living in Government housing who can well afford to provide for themselves and we have got people who have no choice but to pay three quarters of their income in rented accommodation. I certainly would agree entirely that there is a need to reappraise and revise the direction of the housing policy because I don't think the housing policy is achieving what really should be achieved which is a supply of Government houses to ensure that those in need are able to obtain a reasonable level of accommodation at a reasonable cost within a reasonable period of time. That, as a fundamental aim of housing policy, is certainly not being achieved and we certainly need to discover why it is not being achieved. I think it is easy enough to ask the Government to provide for a level of building such as we have seen in the Varyl Regg Estate but I think it is equally valid for the Government to say to us: "Well, that cost twenty eight million pounds, are you saying that you are prepared to support the level of taxation required to raise twenty eight million pounds to build another Varyl Regg or you are saying that you want another Varyl Regg built and the British Government must provide the twenty eight million pounds when there is every indication that the British Government is going to be very unsympathetic to that because, in fact, even in their own Local Authorities, where there is nowhere near the proportion of public housing that we have in Gibraltar, there is no Local Authority in the United Kingdom that has got 65 to 70% of public housing out of the total housing stock. The level in the United Kingdom in good areas is something like 40% to 45%. In bad areas, which are the ones controlled by the Conservatives, it is only 5% or 10%. I don't know to what extent GDA analyses these matters but I thought if it does and if it is influenced in any way by domestic policy on these issues, then we would have a very, very tough time

convincing CDA that with public housing already reaching 55% to 70%, there is justification for a further increase in the public sector in public ownership of houses. I think we face an extremely serious problem which in its essence is economic, I think in the past there have been mistakes made. I am myself convinced that the modernisation programme, allied with the blockage caused by the non-allocation of the final blocks of Varyl Begg, which the Government was planning to have and I think if the House will recall, at that stage the non-allocation of Varyl Begg meant that the people who would have got into Varyl Begg didn't go into Varyl Begg which meant the houses that they would have left which were going to be used for decanting were not then available, which meant that the whole modernisation programme took longer than it might otherwise have done and cost more than it would otherwise have done, the whole history of that has made a problem that was bad, worse. I don't think anybody can deny that, not even the Government. The Government say it was beyond their control, as politicians. I don't think members of this House on this side would expect any Government to come along here and bang their chest and say "mea culpa" three times and then go to an election in a couple of years time so that we can parade that over them. They are bound to try and justify it even if there is an element of bad planning or misjudgement but I don't think the motion, as I understand it, is concerned with the quality of the judgement of the people who are today in Government. It is concerned with fundamental policy decisions that would be necessary whoever was in Government. The essence of those fundamental policy decisions are economic and we were being told in another motion that I brought to this House, Mr Speaker, on Friday, that it would be very wrong to mislead people about our possibility to be insulated from the realities of the outside world. I think that whereas I don't accept that in the case of the Dockyard, I would certainly accept that statement in the case for a lot of other policies that we discuss in this House. We are apparently telling people that the unachievable can be achieved and the unobtainable can be obtained and I would not want to be a party to that because I believe that it is possible to resolve some fundamental problems affecting our community as it is possible to resolve those fundamental problems in other parts of the world but I do so from a specific approach which is the basis of my political philosophy and in supporting the motion, which I am going to do, I must make it clear to the House that for me the sense of direction that is required, is not simply a question of saying: "Well, give more points to so and so, so that he has got a better chance of getting a house than the other person". Or simply saying: "Well, modernisation isn't working fast enough because there are groups of workers distributed all over the place and you cannot keep tabs on them". I am talking about the need for a cohesive policy on housing based on an ideological commitment to a particular way of organising the economy. That is why I will support

the motion because I think that is the change that I believe is required but I am not sure that that is the change that is being advocated by the mover but the mover isn't asking me as far as I am concerned to support necessarily the policy that he does but to say that the Government needs to produce a reappraisal of its policy, and certainly as far as I am concerned, I am convinced that that is necessary. Let me just say one final point: I cannot be sure to what extent that would apply to the question of the administrative structure of the Housing Department because I am talking about fundamental policies and I am not talking about the administration of the Housing Department and I am not quite sure what that means, anyway, because all that the mover said in respect of that point, as far as I can recall, is that the Housing Committees were doing a very good job and that they supported the system and that he would like to sit in as an observer in the Committees.

HON A J HAYNES:

If the Honourable Member will give way. I was referring to the fact that there are four Ministers involved in the administrative structure of housing and that there is a lack of cohesion within those ministries and I made particular reference to the Family Care Unit reporting problems of the last year.

HON J BOSSANO:

I am grateful for that Mr Speaker. I took the administrative structure to mean the way the housing stock is managed by the administration, that is what I would have understood by that. It may be that it needs to be managed in a different way but it seemed to me that there had been no reference to that part of the motion from what the Honourable Member had said. I take it then that what he is saying is that one should not have departments which do not come directly under the Housing Minister involved in different facets of the housing problems and that it would be better if it were centralised and all under the same Minister. I think that there is probably a great deal of logic in that and I would support that as a sensible thing. But I don't think it comes across from saying, as the motion says, that we need to revise the direction of the administrative structure of the Housing Department. I think most people would understand by that the way the Housing Department is structured administratively, that is, with a Housing Manager and District Wardens and so on, is not a good thing and that it should be changed. Mr Speaker, I don't think there is any other point that I wish to comment on so subject to anybody being able to persuade me otherwise, I propose to support the motion.

HON M K FEATHERSTONE:

Mr Speaker, the Government, is of course, greatly concerned at the continued and escalating housing problem. With that we don't argue. But with the second point, fears that the problem

will only become worse unless Government is prepared to re-appraise etc., with that, we do argue. There are a number of points which I think spring to mind and which should be considered fully when the whole question of housing is brought up. Is housing to be a Government monopoly? If it is, then it must be appreciated there is a two-fold cost involved. There is the original cost of building which today, as my Honourable Friend has said, is running at approximately £40,000 per flat. So that if you want to make any large impact, you need very great deal of money to do it and I stress a very great deal. If we are going to build, as we hope in the next development programme, some two to three hundred houses, that is going to cost us some £12m to £14m. If we want a Varyl Begg type of housing estate then of course we are talking in the region of £30m to £35m which is under any circumstances, I think, beyond the possibilities of the Gibraltar economy. The second point that has to be taken is that every Government house built is pushing up the total subsidy that has to be put on housing and into the Housing Fund every year. This is something that we must consider all the time because if a house is costing £40,000 or let us be generous, costing £30,000, the loan charges on that run at something like £4,000 a year and £4,000 a year cannot be the rent that we can reasonably charge any person who is going to live in that accommodation and the £4,000 a year is only covering the loan charges and not covering the amount that has to be put in for maintenance. The maintenance factor is a very important factor. As the Honourable Mr Bossano has said, it is no good us building a lot of property and then not maintaining it and allowing it to deteriorate into a slum. One would hope, at a wise rate, that one would spend some 2% of the value of the property in annual maintenance and if your housing stock at the moment which is worth something like £80m to £100m, is going to have 2% per annum spent upon it, then we are considering a figure of £1.6m to £2m per annum required for maintenance alone. It is a figure we are not reaching and I regret to say that our housing stock has and is continuing to deteriorate more than we are looking after it. Government is trying the scheme of putting out some of these derelict properties for people to take up, hopefully, young people, and develop themselves but one of the things lacking in town, for which the blame has to be laid, I think, on the private sector, is the lamentable lack of facilities to help youngsters to build their own houses. We do have some building societies in Gibraltar, but they are working on a very reduced and very limited scale. It is normal in the United Kingdom where you get a mortgage to build, that the mortgage lasts over 25 to 30 years whereas I understand in Gibraltar the assistance that the banks in particular are willing to give has to be over a 15-year period which in most instances means a very heavy drain on the person taking up such a mortgage. It would help tremendously if the general public of Gibraltar were willing to invest in their own city and were willing to put their savings into building societies

rather than to put their savings into UK Companies and UK banks so that this money could be devoted to assisting the younger people of Gibraltar to take up their own mortgages and to slowly turn Gibraltar from a practically Government owned housing area, into an area in which people own their own houses themselves. The Honourable Mr Haynes said that very little has been done. Well, I would challenge that. We have built some fifty or sixty houses at Rosia Dale, we have built at Rose Shrine, new houses at Tarik Ramp, we have the new housing schemes at St Joseph's, St Jago's, Flat Bastion Road. I don't think it is very little being done. It may be it is not enough, that is a possibility, but as I said we have to live within the constraints of the finances we can afford. At the same time, a year and a half ago, we could not have built very much more because we did not have the capacity to do so. Our building force was working full blast, there was not sufficient labour or manpower to do anything more, so once again we have a constraint on that. The Honourable Mr Haynes has made the comment that there should be one Minister in charge of everything for housing. What is this Minister to be? Is he to be a Minister for Public Works in one breath, Minister for Labour in another, Minister of Economic Development? He would be a marvellous man if he could cope with all this. The Public Works side has made its own contribution and I would challenge the statement made by Mr Haynes that in modernisation it has not been properly accounted for and not been up to standard. That, I do not think is the correct application of the facts. Every penny that is spent is fully accounted for by the Quantity Surveyors of the Public Works Department and the Clerks of Works see that the actual work done is up to standard. I am not going to go into the question of the social cases, medical cases, etc.; because that is more in the province of my colleague the Minister for Housing but I would say that whatever is the position in the future, the constraints on more housing for Gibraltar are going to be limited by the amount or the extent to which we are willing to put our hands into our pockets and pay for it. We are already heavily taxed, we are not afraid to tax more to make more housing, but if we should come up with further taxation for paying for housing then I hope our friends in the Opposition will support it and will not be crying out at every opportunity for a reduction in taxation as has been their wont over the past.

The house recessed at 1.00 p.m.

The House resumed at 3.20 p.m.

HON H J ZAMMITT:

Mr Speaker, I thought there would be further contributions from the other side of the House before I replied to some of the things mentioned by the Honourable and Learned Mr Andrew

Haynes. Mr Speaker, I will dwell briefly upon the points raised by Mr Haynes in relation to the responsibility with which I am charged. I think the development side of the housing situation has been dealt with by my friend, the Honourable Mr Canepa, and by Mr Featherstone, and therefore I will deal with all the points raised by Mr Andrew Haynes regarding the ultimate allocation of houses. Mr Speaker, I think Mr Haynes is fully aware that the housing problem of Gibraltar is not a two-year old problem, it stems far beyond that. In fact, it goes back to possibly the colonial era of Gibraltar when the then Colonial Government constructed no houses other than Harrington Buildings for the people of Gibraltar and the people were forced to live in the private sector and the situation was then brought to light after the war, particularly on the return of Gibraltarians from the evacuation, and there was a Resettlement Board and it was then and only then that the elected Governments of Gibraltar were able to construct houses to accommodate the Gibraltarian families. Mr Speaker, whether we agree or disagree with what the Government has done or Governments have done since the war, I think the figures are that we have over 5,000 houses of a post-war standard and it is not bad going considering, as I say, that we were dependent purely on the private sector in the past. The whole crux of the situation, where I find difficulty in agreeing with Mr Andrew Haynes, is that I have been able over the past two years that Mr Haynes has been in this House, to hold frequent meetings with him on housing matters and it was only until I felt sick, in October, that I have been unable to keep up my meetings with him. It is here that I find great difficulty in being able to reconcile what he, in fact, means by this motion. It is very comfortable, I think, for a Member of the Opposition or indeed any other person, not being in Government and charged with the responsibility of housing people, it is quite comfortable to give every single person who approaches him some sort of comfort. I agree with that, Mr Speaker, because I feel that people must be given some sort of hope but what Mr Haynes has never been able to say is who he intends to give priority to and to the detriment of whom. If Mr Haynes feels that we should give the young applicants, the young couples, preference over those people who have been waiting patiently on the list for ten or twelve years, then I think he should make it publicly known. If he feels we should give those people with bronchitis priority over applicants on the waiting list then I think he should make that known but he cannot continue to give every single applicant, whether medically categorised, whether Government quarters, whether on the housing list, whether on social grounds or on whatever grounds, I think he ought to be able to say categorically and clearly who he thinks should get preference and who in turn should be left out. It is only then, Mr Speaker, that one would know and people would know exactly where they stand. If the Honourable Member feels that the percentage of medical category, which is 20% of new housing, should be reduced or increased, then of course it will be to the detriment of the

general housing list. If he feels we should do away with Government quarters, then the Civil Servants should know that the policy of the Opposition or of Mr Haynes is that they do not agree with the Government quarter situation. If they feel we should not decant pensioners then he should say so but I don't think he can lump together everybody who has a problem and give the impression that everybody must be helped because we just haven't got the capacity to do that. Mr Speaker, I am trying to be as logical as possible in this approach and in the meetings that I have held with Mr Haynes. I think I must give him credit that he listens to me and I try to explain the various problems. I do not necessarily expect him to agree with me but I think I do inform him of the day-to-day situation and the day-to-day problems which most people opt to ignore. There are applicants from U.K. In fact, Mr Speaker, I can tell the Honourable Mr Haynes that at the moment I am in correspondence with a Gibraltarian who having lived away for 25 years, is going to take the case to Brussels because I told him that he has to be a resident in Gibraltar before he can apply. If that person came here and saw Mr Haynes, Mr Haynes might give him some form of encouragement but then it must be to the detriment of somebody else and I would like him to state clearly when he sums up who he feels we should help and in the same breath say who he feels we should not be so generous with. I, personally, have made my position very clear to Mr Haynes, Mr Speaker. I am very sympathetic to those people on the housing waiting list and in particular to the people who have been waiting the longest. I agree that there are social cases and medical cases and the like but the people who have been waiting the longest in my estimation are the people who should get priority and then everybody would know that there is a time factor and therefore there would be no gate crashing or attempts to get assistance elsewhere, be it through medical certificates, through dampness, bronchitis, or any other ailment that can be sought sometimes to the detriment of others who patiently wait their turn. When it comes to social cases, Mr Speaker, I think this Government cannot be accused of not being concerned. I agree that Family Care Unit reports have been long in coming in to the Housing Advisory Committee but that we all know was on account of the staffing problem in the Labour and Social Security Department but this Government, since 1978 to date, has provided 42 dwellings in the Filipino Hostel, 26 of which 15 have been allocated at Town Range and now in the next week or so we will be providing another 15 or 16 units at the Red Ensign Club, so the social cases have had a fair crack of the whip when one looks at the whole perspective of housing. On the medical category, Mr Speaker, we raised it two years ago from 15% to 20% and the Advisory Committee were making it more difficult for people to get on the medical category list and were only considering cases which warranted to be medically categorised. On the question of modernisation which has been a problem in decanting people, what I cannot accept from Mr Haynes is that invariably we are reaping less than we decant.

Tank Ramp is an example where we have been able to house more families than we decanted but if we do lose on that then of course it is only because those people who were living in those conditions have found that their housing lot has improved to a standard which people expect nowadays and not in a situation as was the case before of many people living in a room with no sanitary facilities whatsoever. The question of the housing applications numbering 1,800, I grant and accept, Mr Speaker, the number has been more or less static for some time but I would remind the Honourable Member and Members opposite that in 1972 when the AACR Government came into power, there were 1,400 applicants on the waiting list and the distribution of 700 flats at Veryl Begg Estate alone brought about a situation that we found ourselves with 1,700 applications. One can therefore conclude, and I have said this time and again, that the situation is one where Government has produced houses, has allocated houses and yet we find a gross situation of overhousing. But Mr Haynes, I am afraid, does not agree that a person who is living in four or five rooms should be decanted and asked to live in smaller accommodation. I say, and I hope it is for the last time as Housing Minister, that if we could get all those people living in overhoused conditions to move into smaller accommodation 50% of the housing problem of Gibraltar would be solved. I am not saying that there isn't a shortage, I am saying that if there was a fair distribution and if people cooperated then I could guarantee that a lot of the problems today could be resolved. What we cannot have, Mr Speaker, is allowing people on rent relief and even not on rent relief but in subsidised housing, to continue to live at the expense of others in grossly overhoused situations. Mr Speaker, I was quite hurt by the Honourable Mr Haynes saying that the Housing Department is insensitive. It is pathetic that I never hear anybody here saying anything nice about a Department that receives nothing more than insults, offensiveness and allegations galore. I think the proof of the pudding is that I myself have found it virtually intolerable to continue to be Housing Minister as my predecessors have found because no one comes round with a bouquet of flowers but they do come round making all kinds of allegations and making the most wicked remarks about the Housing Department. The Housing Department are not insensitive, they have like I have, the impossible task of satisfying people who obviously demand more than we can afford to give. Therefore, Mr Speaker, I think it is unfair to say that the Department is insensitive. They are very human and they suffer immensely when people come along with tales of woe with which they agree but which they can do nothing about. Mr Speaker, the Honourable Mr Haynes has again brought out the question of the housing list. I agreed to provide the top five in every category not to satisfy Mr Haynes, it was brought about by the Action for Housing Group. This is the task that I had explained here time and time again, which is a difficult one. It is a very difficult one if we are talking about 400 names or 100 names to be typed out just for someone to see how many points

they have. I think that five is indicative of the pointage value required for a particular kind of accommodation. So, Mr Speaker, I think that within the problem we have and we have had and we shall continue to have, there must be a realistic approach. We have had the Honourable Mr Haynes raising here the question of Casola's Building about which the Government took prompt action but alas only to find that the people that were downstairs with rats and with rotten bits of furniture the moment we provided them with post-war housing they opted to go back to a place which had been condemned and which they had made a big fuss about. One has to be very careful, Mr Speaker, when one selects a sector of the community that it must be remembered it is not always popular to the others who are left behind in trying to alleviate someone else's ordeal. My humble opinion is that the only scheme and the only system which can be construed as absolutely fair is one which depends on mainly the waiting time. I would remind the House, Mr Speaker, that since the advent of parity there are more applicants from the United Kingdom, more people who wish to come over and take up residence in Gibraltar, a situation which is aggravating things day by day. I would like to inform this House, Mr Speaker, that the policy of overhousing, those that we have been able to persuade whether it be by way of exchanges of people handing in two smaller houses for a larger one, of people going into smaller accommodation, has had a tremendous effect and if only the Honourable Mr Haynes, as opposed to saying how many people have been housed, would have asked the question how many applications have been cancelled during the year, he would find that it was much more than the 50 or 60 since he last asked the question of how many applicants we had. The Housing Department tries to do its utmost in a fair distribution of housing and if the people were a little more helpful much more could be done as has been done in certain areas but it is not a question that we are insensitive that we don't want to listen to things and we just couldn't care less. As regards the Minister seeing people, I will make it quite clear to the Honourable Mr Haynes or anybody else that I am not prepared to grant interviews to people. I found myself a few months ago without knowing what my name was and I am not prepared to interview people who want to see me week after week for the same situation and they know that I cannot do what they would like me to do and yet what they would criticise me for if I did it with somebody else. The situation must be made absolutely clear. There is a scheme and a system and people must abide by that scheme and there is no pally-wally with the Minister or anybody else because the Minister is not prepared and cannot give anybody an advantage or privilege. Mr Speaker, as far as I am concerned, the problem will not be eradicated with the next two, three, five or ten years, not only because there is a housing shortage but because people aspire to better and better living conditions and as time goes on there will obviously be a greater increase in the standard of living so we cannot keep pace with that and

it doesn't take very much to realise that. Mr Speaker, the Honourable Mr Haynes said the Government had taken up more than we could chew. If that is the case then of course it would be one where we have embarked upon a situation of housing that we have not been able to keep up with. The situation is that if we did not decant those people from those houses that the Honourable Mr Haynes finds empty, possibly, like Casola's, we would have found tragic circumstances because some of our housing stock is so old that there could be problems galore if those people weren't brought out. We have more blocks that require decanting in the very near future. Mr Speaker, in ending I would like to add briefly to what the Honourable Mr Bossano said on the actual motion and that is that one does not know what the motive of the motion is all about. It is not a motion of censure on the Government, it is not a motion of censure on the Minister or the Ministers he refers to or anything else. Mr Speaker, the Government will accept that we are very concerned with the housing problem. It is a problem that has been here before Mr Haynes ever dreamt of coming into politics. The rest, I am afraid, we just cannot agree with because there is no substance at all and there is no directive as to which way the motion is heading for and as I say I would be very grateful in particular if the Honourable Mr Haynes publicly said who he would like to give priority to and in saying that to the detriment of which sector of the housing applicants he would like it to be. Otherwise, Mr Speaker, I think we could be arguing all day and quite honestly the public of Gibraltar are left in the same dismay as they have been left in the past.

HON MAJOR R J PELIZA:

Mr Speaker, it seems as if the Government does not realise that it is the Government that is supposed to govern and not the Opposition. Every time we come along to press them to do something they ask us to tell them how to do it better. Of course we can do it better if they just come here and we go over there but it so happens that the electorate of Gibraltar so far does not seem to have woken up to the fact that this particular Government which has been in office for quite a few decades still cannot deliver the goods and all they tell us is "You tell us how to do it" because, basically, that is what it is. We are not here to tell them how to do it, Mr Speaker, but certainly we are here to try and press them to do something about it. I must say that my Honourable Friend on the right, judging by the reaction from the Government, is doing that magnificently except, of course, that it all seems to be wasted in bad temper but really in no action. We would like to see less bad temper and more action. Mr Speaker, we are not here to decide what policy by any form of ideology. We are not trapped or imprisoned or caged by any form of ideology. It has been proved, Mr Speaker, that the ideology is not always the best way of proceeding willy-nilly because if ideology is going to stop me from doing what I think is right to do at this

moment, I am not an ideologist. If one looks at the world, generally, we will find that those countries which are obsessed with some form or other of ideology are the most backward, where people are enslaved and which are suffering most. Therefore, Mr Speaker, my Party is not in any way restricted by any form of ideology but we see what might be good in any ideology and how it can be applied in a practical sense at the moment, now, because now is only now tomorrow it might be a completely different situation and still we are going to stick to the old ideology because we thought that this was the thing, that was the theory, forget about the practice. Mr Speaker, we are not that way, and, therefore, there is no reason why we must stand here with an ideological theory for a housing problem. I can't understand why my Honourable Friend on the left was saying, that you must come here with an ideological plan. No, Mr Speaker, we do not come here with an ideological plan, but I think we do come here for the purpose that we have been elected, to try and stir the Government into action. That is our role, Mr Speaker, and that is what my Honourable Friend on the right is doing. I was sad, rather than angry, to hear a man that I admire considerably and who I know has got tremendous respect for democracy and the role of the Government in democracy, to say that in future he was not going to care two hoots how he answered questions in this House. Mr Speaker, that is very bad.

HON A J CANEPA:

If the Honourable Member will give way. He knows that I did not say that. I said that if the answers that I give are going to be treated as haphazardly and as lightly as the Honourable Mr Haynes has dealt with answers that I have given him earlier in this meeting, then in the case of the questions which the Honourable Mr Haynes puts, I will not waste my time and that of Senior Civil Servants for whom it is no mean task to prepare answers to so many questions. I will not take as much care in providing the information. But I did not say that I was not going to answer questions in this House as I have always done. This is what I do not like, to have my words twisted, Mr Speaker.

HON MAJOR R J PELIZA:

Mr Speaker, it is very difficult without the Hansard to say exactly what the Minister said then but I think that is what he meant.

MR SPEAKER:

The Honourable Minister said exactly what he has repeated now and Hansard will show this.

HON MAJOR R J PELIZA:

Mr Speaker, what he said was that he wan't going to take so much

care in the way he answered questions put by the Honourable Mr Haynes. Isn't that more or less what he said, or have we got now to go word by word. He means that he is not going to take all that care, he is going to care less about the way he answers the questions. What the Minister must realise, Mr Speaker, is that the answer that he has given is not for that particular Minister, it is for the whole House and it is for the whole of Gibraltar and he has a responsibility to answer the questions as thoroughly and as well, whatever is done with the question afterwards.

HON A J CANEPA:

Mr Speaker, if the Honourable Member will give way. I understood when I came to this House and from the reading that I have made about the principles of Parliamentary democracy to which we subscribe, that questions are put in the House in order to elicit information. If I give information in an answer and I quote a figure three days ago, I do not expect that figure to be distorted in order to serve a particular purpose. I expect that information to be treated for what it is worth, accurate information, and not to be grossly distorted as has been the case earlier today. That is all that I am objecting to.

HON MAJOR R J PELIZA:

Mr Speaker, I was coming to the question of the figure and I was very glad in fact that the Minister has drawn attention to it although I would not have forgotten. If we look at the matter that so disturbed the Minister concerned, he will see that in his statement of the 26th of October.

HON A J CANEPA:

No, Mr Speaker, I was not referring to the statement of the 26th of October. I was referring to the answer that I gave to a Parliamentary Question put the other day, here, three days ago, not the 26th of October. I said that the number of units involved in the four properties in question, other than City Mill Lane, was thirteen. That was the statement that I was referring to, not to the one that I made in the House in October.

HON MAJOR R J PELIZA:

Yes, Mr Speaker, I was also coming to that but one has to go stage by stage. The Minister will notice, Mr Speaker, that I am giving way all the time and also perhaps at this stage he could be reminded that my Honourable Friend who is shadowing housing would have given way if you had not literally instructed him not to give way.

MR SPEAKER:

I certainly did that after he had given way several times and I am going to ask you to do the same now.

HON MAJOR R J PELIZA:

Well, Mr Speaker, I only hope that in this instance the Minister will not really get cross with me and tell me that he in future will never give way to me as in fact he did to my Honourable Friend on the right, because I can't literally, you have now directed me not to give way and you did exactly the same thing before.

MR SPEAKER:

I am not going to enter into arguments as to why Members do things or not. It is my privilege and my prerogative to decide whether a Member should give way or not and if the circumstances warrant I will most certainly give these instructions as and when I consider it necessary.

HON MAJOR R J PELIZA:

Very well, Mr Speaker, let us get on with the task that I think we have in front of us which is a gigantic task, Mr Speaker, for this Opposition to try and move the Government on what is, I would say, second to the Dockyard, the most serious problem of Gibraltar - housing. We mustn't get personal, Mr Speaker, when we are talking about housing, whether I have two rooms and never lived in more than two, or somebody else has got something else. Let us come into this House without, for goodness sake, introducing personalities or motives. Let us assume all the time, Mr Speaker, that whatever I may say I am saying in the interests of Gibraltar because if every time that we speak in this House somebody is going to stand up and try and suggest that you are doing it for some other motive, then Mr Speaker, we are not, I think performing our duty in the best interest of Gibraltar. Therefore, Mr Speaker, I think we have got to assume that whether it is a Member of the Government or whether it is a Member of the Opposition who speaks, he is not doing it with any other motive than in the interests of Gibraltar and if this is so, perhaps, it is the obligation of the Member concerned to bring it out and substantiate it but not just to drop a hint and leave it at that. I would like, Mr Speaker, that to disappear from this House. But carrying on with the statement, Mr Speaker, which we were talking about, if he looks at his statement there he will see under paragraph 4 the properties in question, 2 at Lower Castle Road, 1, at Devil's Gap Steps and 1 at Willis's Road. A policy, Mr Speaker, that after so many years of trying to do modernisation which has cost Gibraltar a lot of money, I would have thought that that has only

come about, the beginning of this, because we haven't in anything yet, but the beginning of this modernisation in the sense that we are probably going to see it in the future is just about to start. In fact, they haven't started, the tenders have not even gone out.

HON A J CANEPA:

I think I also said in the answer to the question two or three days ago, that the tender documents were about to be issued, and they are, the tender documents will issue within a few days. If they are not out before the end of the year, it is because of the holiday break in between but I can assure the Honourable Member, that this is a matter that we are proceeding with, the tender documents have to be very carefully prepared and vetted by the Attorney General's Chambers but I saw a draft of the documents this morning before I came in and I am leaving no stone unturned to try and get this tender notice out before the end of the year.

HON MAJOR R J PELIZA:

What I say, Mr Speaker, is that looking at it from this side of the House, the Government never seems to keep target dates, there is always slippage one way or another. It is only proper and right that we should never assume that the Government will do what they say they intend to do in the time they say they are going to do it because it has been proved time and again that any target date given by the Government is not worth the sound with which it is made let alone the paper it is written on. Mr Speaker, I think it is very valid to say that at the moment we have four houses for which tender notices are going to come out and those are the four houses that my Honourable Friend was referring to, four houses, thirteen flats. But my Friend was referring to four houses and he was right there. That statement is absolutely right and nothing has been twisted. Therefore, Mr Speaker, I think if the Honourable Minister were to listen more to what is said in this House, he could not say that the thing was being twisted in any manner or form. I am sure that on reflection he will accept that he was wrong. Being a mathematician is always accurate, Mr Speaker. It would have been more accurate if he had listened to what my Honourable Friend said about four houses. And so, Mr Speaker, we go on to the housing question. The only substantial housing project carried on in Gibraltar since 1969 was one that the Government which was only in power for a very short time brought about after considerable difficulties. Of course, there are difficulties, if there were no difficulties there would not be a housing problem. When we took over, I am talking about capacity, the frontier had been closed and there was no labour here. It would have been easy to say we can't build houses because there is no labour. The firm that was doing the Glacis Estate had gone bankrupt and they had no

labour and we had to literally take over from them. We carried on building there and we went ahead with what has been the greatest housing project here and then of course, Mr Speaker, if we look back, when they took over again, this is when all the problems started and when they were in a position to try and put it right, they took ages. We kept telling them how to proceed and they wouldn't and of course we haven't seen the end of it yet. The difficulties were there, we told them how to come out of it and eventually they did it the way we suggested. That is the truth, Mr Speaker, and look from there on. The Government say they cannot allow to have slums in Gibraltar. Mr Speaker, new houses in Gibraltar are slums already. Not the old ones, Mr Speaker, perhaps there are fewer slums in the old areas than there are in the new ones. Why, Mr Speaker? Isn't that part of Government administration? Isn't that a Government Estate? That is why I congratulated the Minister on being imaginative. When there are some strawberries to be given away I do give them away but they must expect raspberries, Mr Speaker, as well and this is what they are getting today, I am afraid, because it is justified and I think in their heart of hearts they know it is justified. Mr Speaker, I asked whether the Government can do something for the housing estate and the reason why I said it was to try and avoid them getting worse than they are today. One looks at houses, flats, blocks which are privately owned, and there are no slums. One looks at those that are Government owned and they are getting worse, and worse, and worse all the time. But I am not going to tell them how to do it, I know how I would do it, and I dropped a hint but that hint wasn't taken. It is not our duty to tell them how to do it. Our duty is to point out what is going wrong, that is our duty. And if they can't put it right they can carry on expecting that we are going to keep saying so until they put it right. Maybe they are incapable of putting it right, it is very likely. In the next elections, perhaps, Mr Speaker, the people will realise it is time to have a new broom, or call it what you like, because it is badly needed in Gibraltar, no one can doubt that. What we need is a new broom in every sense of the word and particularly in housing. A new vacuum cleaner, someone said, I hope they buy it from Acmoda, Mr Speaker. It is a serious matter and I think my Honourable Friend was absolutely right when he clearly stated that there was really nobody responsible for housing. It is clear that no one really has full responsibility for housing in Gibraltar. It is spread among three Ministers because three of them have spoken on the motion. This is the problem it is essential that one man must be held responsible and because he is then responsible he will try and move Government to go his way. But if one can pass the buck to the other one and the other one can pass it back, it turns up to be nobody's baby. I am afraid to say that housing in Gibraltar looks very much like being nobody's baby. This is the reason, Mr Speaker, why the situation of housing is the way it is. Of course it is not a vote of censure on the

Government in this instance. There should be one person responsible for housing, Mr Speaker, not someone who doesn't want to be there.

HON H J ZAMMITT:

If the Honourable Member will give way. In his time in Government there was a Minister for Housing who worked under the Public Works Department and there was a Minister for Public Works and there was a Minister, Major Gache, for Development. Would the Honourable Member like to explain how it worked so beautifully under his administration and it cannot work under this one? There were also three Housing Ministers in two years and ten months, not seven years like me.

HON MAJOR R J PELIZA:

I am not suggesting for a moment that we should do away with the Minister for Economic Development or the Minister for Public Works, that is not the point, Mr Speaker, but that the man who has got to carry the can and answer for housing is one Minister, the Minister for Housing. It is up to him to push the other two Ministers, whoever they are, to perform their duty in respect of what he is responsible for. That is the point, Mr Speaker, because that is the only way it can be done and then the threat of resignation from the Minister.

HON H J ZAMMITT:

On a point of order, I have not for one moment said I am resigning.

HON MAJOR R J PELIZA:

Who said so?

HON H J ZAMMITT:

I understood the Honourable Member to say that the Minister was on the verge of resignation.

HON MAJOR R J PELIZA:

I have not said that. Then the Minister who is responsible for Housing, Mr Speaker, he has got a weapon in his hand because if the other Ministers do not perform in accordance with what he says, he can resign. That is what I was going to say. This is where the integrity and responsibility of the Minister comes in.

HON H J ZAMMITT:

Mr Speaker, I think it is intolerable that the Honourable Member can come along and say things about the integrity on an individual who has had nothing but kicks for the last seven years and if I

had to resign I would not have to ask the Honourable Member opposite to encourage me to resign. All I can say, despite my illness, is that if my Government want me to stay in housing I shall stay in housing.

HON MAJOR R J PELIZA:

Mr Speaker, I was not referring to him, I was talking generally because what I am saying is that this is the way it should be done. If I have my principles and I think I cannot carry them out then, Mr Speaker, I as Minister would go and I would ask the Chief Minister, whoever it may be, I am talking generally now, to find somebody else because I could not perform the job that had been given to me to perform. That is the point I am trying to make. It is a difficult one, of course it is, no one is in doubt about that but not because it is a difficult task are we going to leave it there. The easy way is to bring out all the difficulties that there are, that is the easy answer but this is not what we are in Government for, Mr Speaker, it is precisely to overcome those difficulties so I would suggest Mr Speaker, that if any other motion on housing comes to this House there is a Minister who will reply and then if the other Ministers want to come out in support, that is a different matter. But to spread it the way that it has been done today to me is a very clear indication that my Honourable Friend on the right is absolutely square on. If we think of modernisation purely and simply as doing away with slums we are missing the point. The object is to produce more houses and as a sideline you do away with slums. In this instance it looks as if the Government is beginning to see the whole thing in a different light. Now they are going to put money into housing and now they are going to do it in a different way, suggesting that people should come along invest the money use their brains and try and do that, excellent idea, Mr Speaker. I go with that, not entirely because there are many other ways but it is taking a long time to make them go that way. They were obsessed with the idea of modernisation. They thought that was going to solve their problems, the way they used to think before. We knew perfectly well, Mr Speaker, that this was not going to be the case and we have always kept saying so all the time, that modernisation was not the answer. At last they have realised that modernisation is not the answer. The only trouble is that they have not got anything else to replace it because no one has come today saying how they see the way ahead to really overcoming the problem of housing in Gibraltar. We are nowhere near the beginning of overcoming this which is the first priority for the Government of Gibraltar, because after food comes shelter and it is really in the home that character is really built. Education without a good home is difficult, education with a good home starts in the family. Social problems start from a bad home in every sense. It is rather a pity that this has been so neglected for so many years and that so little has been

produced by this Government in that respect. That is the truth, Mr Speaker. Then we go back to the social medical cases and young applicants. Have they said how they are going to go about it, is there a plan going side by side for young applicants? I haven't seen one, after so many years there isn't one, and yet we have lots of young people who want to get married and they cannot. In fact, the ordinary way of doing it is to try and get in with their in-laws and so create problems inside that particular house so that then because of overcrowding, they may get accommodation. You should give those young people the opportunity to be able to help themselves which of course is the plan I have and I have said it here before, Mr Speaker, so I am not going to repeat it. Nothing in a big way is done in that respect. Similarly, nothing for the medical cases which again should be another channel which should be up the sleeve of the Government and, naturally, the social cases as well. Mr Speaker, over many years the problems have been there and nothing really concrete has been done, nothing at all. Just a lot of talk, Mr Speaker, and no more and then of course they get annoyed when they see their image reflected in words which is what happens in this House. We are the mirror of the Government, and they cannot say this is not so because they know perfectly well that on occasions when they are right we say so without hesitation, sometimes even more than we should, if you are thinking of popularity, Mr Speaker. I hope that they take seriously what I am saying and if I am saying it in the manner that I am, it is purely and simply to stir them up which is in fact what I am supposed to do. I will refer now to the administration. I do not think my Honourable Friend referred in any way to the actual people working in the Housing Department and if the Minister is under that impression I am sure my Honourable Friend will put him right now. I think he was referring to the structure that I have been referring to now. Mr Speaker, it is the man on top that breaks or makes anything in an organisation where he has got the power. In the United States it is the President, in a company, it is also the Chairman, Mr Speaker, in a Regiment the Commander, in a Government the Chief Minister and one can see when there is a change how all those difficulties that existed in that particular regiment or in that particular company or in that particular country was changed simply because the man on top changed. All those difficulties seem to disappear. Why, Mr Speaker? What before could not be done now it is done and this is, Mr Speaker, what my Honourable Friend was referring to, referring to the structure, the way the housing problem is run, that one Minister should be responsible and that Minister should have the stature within the Government to be able to command the support of all the other Ministers and all those who help to make the housing problem come to fruition. That has not happened for the past year, Mr Speaker. Since there was a change of Government it has not happened and unless the Chief Minister does something urgently it will not happen before the end of this Government. Then, of course, I hope the people

will realise that there is need for a change and perhaps there will be a change at the top and from there there will come changes. Mr Speaker, I think I have made my point and I hope that no ulterior motive is put now to what I have said because there is no ulterior motive other than one thing, to bring more houses to the people of Gibraltar which they need so badly, which is the basic thing of a happy community.

HON CHIEF MINISTER:

Mr Speaker, people who have no links with Parliament occasionally call them "talking shops" and I think the Honourable Member who has preceded me has really given credit to those who think that Parliament is a "talking shop" because he talked so much that was purely unnecessary but of course we all know his propensity when he gets up he very rarely knows when to sit down. The problems of housing are big and I think they were highlighted this morning by the Minister for Economic Development and by Mr Bossano. The ideas of better housing, more housing is of course one to which everybody subscribes. What we cannot tolerate is a remark like saying that the Government is insensitive to the requirements. If only for a reasonably comfortable life one would want to be even selfishly sensitive to that but it is much more than that because it is not now, it is the backlog, and that is why there is one thing that Mr Bossano said this morning with which I don't agree and that is the fact that the Government at this stage in England, in the development programme, has attached very low priority to; housing (a) because, presumably, when the time comes they will say that the money is limited and it should go to something more productive and (b) because they may think that we ought to contribute more though we have contributed quite a lot. On the other hand, the other difficulty of the problem which Mr Bossano referred to which is a very big one and that is the increase of the proportion of publicly owned flats to private flats is big for one very good reason. First of all, because there was nothing done before the war for 150 years of colonialism to house anybody in Gibraltar and the post-war generation inherited this and the other reason is because even if there was an incentive for people to build their own houses the military have held too much land in Gibraltar and have given very little land for the people to be able to develop their own dwellings. One can only see, though at very great expense, when there has been available places where people can build houses people who have been able to do so are people who might have well been on the waiting list not because they are not insufficiently in a position to pay for their own house but simply because they didn't have where to build them. This is one reason which sometimes I use to strengthen my argument when we argue with the United Kingdom about housing, about the fact that we are suffering from a lack of amenities. Before the war if you had to live six or seven to a room and you didn't want to, you just went across and found a little house in La

Linea with a patio where you could keep chickens, you could have all the comforts you wanted and come in daily and as a result of which, of course, both in the evacuation when we were landed with many more people than Gibraltar was responsible for, all British subjects living in La Linea, and subsequently after repatriation when people started to gradually go back again in reasonable circumstances, in February, 1965, at the stroke of a pen the people who were living in La Linea were deprived from crossing the frontier every day and we had an influx of a number of people. On both occasions Gibraltar was landed with more people than its population, landed with people who were evacuated, British subjects who were brought here from Tunis, from Morocco, from Spanish Morocco, from the old French Morocco, Maltese and other people who had lived in Spain, who had had no links with Gibraltar except to get a job in the Dockyard and go and live in Spain from the beginning. These are the factors that have worsened an already bad situation with lack of space. These are big problems and it has been made worse by the cost of building nowadays and despite reasonably good wages, the fact that there has been traditionally an attitude here, perhaps because of living over the years in very difficult and cheap accommodation, the reluctance to pay a reasonable proportion of the wages of a person towards rent. That has always been a minor matter in people's budgets when in fact in any modern society it goes up to about one sixth of one's income in rent. Some of the remarks made by Mr Bossano this morning were very pertinent ones and I look forward to reading the Hansard because there were a number of remarks which he made which deserve to be considered, if I may say so, with respect, a little more than the generalities made by the mover of the motion. The Government has not got a statutory duty to provide houses to the people of Gibraltar. There are Local Authorities in England who have and that is why you read of cases of people who come into a borough and they have to be housed in hotels at the expense of the local authority. We haven't got a statutory obligation but because of the neglect over the years, the new constitution, the devolution of power to the people of Gibraltar after the war made it a necessity to provide proper housing because there had been none at all before. In the old days they gave out long leases to landlords and compelled them to put them in a good state and keep them at controlled rents. At one stage, no doubt it was a way in which to make a reasonable profit but later on it became so burdensome that people were offering up their leases long before they expired because it was no longer profitable because the proportion of the controlled rent to the cost of repair was such that it didn't pay any profits at all, in fact, in many cases it became a burden. I will just mention one or two of the points on this to show that the problem of housing is a fundamental one, a very big one and no number of motions in this House can solve the problem because there isn't enough money to build all the houses that are required in this generation, and we have done I think 5,000 houses post-war,

of which 700 may have been planned in Veryl Pegg Estate, but there were 5,000 houses. The City Council of Gibraltar started agitating for what is now called the Alameda Estate, that was done before the House of Assembly came into being, that was in 1947 under the aegis of the City Council though, of course, with central Government funds. On top of that, of course, came the difficulties arising out of the closing of the frontier when the responsibility that the Government was exercising with its own money towards housing was impossible and that is why the grant of development aid were totally, or rather the provision for housing was made totally later on it was made on a basis of 90%. We have a programme, it is in the development programme which was submitted in February of this year and over which we have been speaking in other matters in the last few days about the future of it. There is no doubt that with the cost of flats at £40,000, it is not a practical proposition, as Mr Bossano said this morning, to undertake to re-house the whole of the people of Gibraltar out of funds and providing flats at heavily subsidised rents and even then they are considered high by some people. To say we do not care is ridiculous. The Honourable Mr Canepa mentioned the fact that I see certain people, I do not like to talk about these matters but when there are accusations of insensitivity I can tell the Honourable Mover that I have even had people stay in my house, particularly women and children who have been left in a car at night and have had nowhere to go and have called at my house at 11 o'clock at night and we have given them a nice bed and a breakfast until I could help them the next day. To say that we are insensitive to this is ridiculous. I entirely agree with what Major Peliza said that 60% of social problems arise out of difficulties in housing and so on, everybody knows that, but equally everybody knows that there is no modern western society, not to mention any of the other types which has solved its housing problems. It is almost, I would say, a conviction of 20 centuries of western civilisation that here we are and in most places where people live in luxury and wealth and here we haven't got that opportunity though people live better than others, of course, that certainly western civilisation has not solved the very essentials in respect of their housing. Western civilisation may have solved its own problem in respect of food and has left two thirds of the world without it but it has failed to cover the essential needs of a decent life of having a proper roof over its head and live in reasonable comfort, that it hasn't solved, and we in Gibraltar have got a number of handicaps why it has been made more difficult. The failure to do anything for 150 years, the increased population and the limitation of space to encourage people to have their own private houses. One final word; accusation has been made of the fact that three ministers have spoken to this matter. Of course they have, because they each have in his own sphere a responsibility in respect of housing. If you make the Minister for Housing the overlord of everything and say: "I want all the rest of the budget subjugated to more houses", and leave the Port, the Medical Services, the Prison, all the other things about which we have questions

as to why don't we do better on this or that, of course he would be very popular for a debate but then of course he would leave the legacy of all the other problems behind him. Of course we are doing what we can in housing. I think we are doing more than this community really should contribute because of the fact that we have had to pick up years of delay and yet there are 5,000 new units nowadays, people who are living in reasonable comfort, and of course there are a number who are waiting. There is only one point that has been made about the numbers who are waiting, and that is that all the applicants do not require houses. One flat can solve two, three or four problems in the list that we were given earlier on by the Minister because somebody who is down for a four-room and kitchen has a three-room and a kitchen and that is available for somebody who requires a three-room and a kitchen which leaves a two-room and a kitchen and so forth so, really, to kill the core of the problem, we are talking about something between 500 and 600 flats in the course of the next five or six years. We may be able to do 250 or 300 if everything goes well with this Development Programme, we may be able to have more sites where people can use their ingenuity and help. It is true, I know for a fact, I visit flats, that people who buy old tenement buildings which let them at not very high rent but much higher than they would warrant on conditions of contract that they have to carry out, that people spend a considerable amount of money to prepare their own dwellings and they make marvels out of very little places. Yet, when in order to try and save this duplication of costs, we try to bring the cost of Rosia Dale, which was high enough by not putting tiles on them, people started to claim rebates of rents and so on. This is not possible. If the people of Gibraltar want more houses as we are going to give them, and in any case it will be required because we have a considerable amount of loan commitment for housing, but if we do not get a reasonable fair share of development aid in the next programme for housing and we want to go it as the House clearly shows it, it will have to be paid for.

MR SPEAKER:

I will now call on the Honourable Mover, Mr Andrew Haynes, to reply.

HON A J HAYNES:

Mr Speaker, may I first of all take up the challenge made by the Minister for Housing who asked which sector of the community would I favour and at the cost of which sector in regard to housing. This challenge has been put to me before and I thought the answer to it from our side of the House was clear in the terms of the motion. When only 33 applicants in the waiting list were given new houses, or when only 21 houses

are made available or 21 units made available through modernisation, you inevitably cannot meet the problems of the housing stock. We are not saying that we should give it to these people rather than these people, what we are saying is that with that small quantity you cannot hope but to inevitably hurt a great section of the community. It is because we are not satisfied with the amount of stock that is being produced, that we are complaining. We are not complaining because only one section of the community is being favoured and it should be another section of the community. That is not the point, Mr Speaker, we are not saying that there are enough houses and that you are giving it to the wrong people and we should give it to young applicants only, we are saying there are not enough houses and no matter how you distribute them you will not satisfy the problem. We are not here going to say you should give the houses to the young people. If the Government was producing enough houses there would not be a problem. That is the basis of the motion, that is why the motion is in the terms of a re-appraisal of the housing policy because it is not who it is being given to that is wrong, that is not our problem, that is not what we are complaining about, the problem is that there are not enough houses, Mr Speaker, so why does this challenge come up continuously, it is completely irrelevant, Mr Speaker. We are not advocating the favour to be granted to one group and not another. The Minister went on further to say that his sympathy lies wholeheartedly behind those who have been waiting in the waiting list. If that is the case, why the programme of modernisation which does not help those people, those people who have been abandoned on that waiting list for years, and now we have this lip service to their rights. I would like that to be reported, that is, I think, for me the essential point, that we are not quibbling about who should be given a house. There is not enough cake to go around so there is no point in quibbling as to who should get it. We are saying there should be a bigger cake and then the problem will not even arise. We are quite satisfied with the distribution in terms of percentages for medical and social but what we are asking for is a re-appraisal of the housing policy because it is the housing policy that is wrong and not the class or sector which is being housed. So why the challenge Mr Speaker, I think that answers his point. It is on this point of re-appraisal of policy that we believe the answer lies. We believe that if Government's mainstream policy as regards housing is a new development programme, a large scale project, and that as subsidiaries they have modernisation, home ownership and all the other assorted small elements then, perhaps, one of those small elements could be something just for social cases of the different types, for medical cases and these would be subsidiary to the main branch in keeping with the percentage formula stipulated by Government. But they don't seem to see the point, Mr Speaker, they keep on inviting me to say: "No, we favour such a group", so that they can go to all the others and say: "Look, you see, if you vote for Mr Haynes he will only be giving houses to those". I know what he is getting at, Mr Speaker, he is being purposely obtuse on this matter.

HON H J ZAMMITT:

Mr Speaker, if the Honourable Member will give way. I regret that the Honourable Member has taken that attitude. I was trying to ask him because I cannot see, and accepting that there is a housing shortage, I cannot see him coming up asking in this motion that we should give particular attention to social cases, medical cases and young applicants. I was asking the Honourable Member that if he wants us to increase our percentage of social cases or medical cases or young applicants, who does he suppose or suggest Government should change its percentages in favour of. He has now said he agrees with the percentages. I would like him to clarify in the House today if, in fact, his policy of allowing squatters to squat and giving them an advantage over people on the waiting list is his policy, because he has seen me on this issue and he has seen me on people who have been waiting 30 years and I think he knows who I am talking about and he has seen me about people being dispossessed and he has seen me about medical cases and then of course, my answer is: "Well, what priority are we supposed to follow?" That is what I would like to know. It is very easy to say we should build more houses but we have accepted we have not got them. 2,000 years ago, Mr Speaker, there was a certain being who could provide fish for 7,000 with only 5 fishes. This Government cannot do it and least of all can I, Mr Speaker.

HON A J HAYNES:

Mr Speaker, we come back to the same point. He is asking me, in the knowledge that not everybody can be benefitted, to chose who is going to be the lucky person. What we are trying to point out is that the position he has found himself in that you can only cause hardship is a way of criticising, not the person to whom you are giving your favours. We don't want to see this Government in the position that only one out of hundred, or something in those terms can be benefitted. We would like to point out not that number four should be given priority but that the Government should be producing not one but fifty or hundred units to meet those hundred people. That is our point. We are not asking for favour to one person and the reason why social cases, medical cases and young applicants were brought in, was to emphasise the importance for a re-appraisal of policy because these are the young people that we are talking about. They are at the bottom of the list, they are the last to be served and they already have severe problems. The way the housing is being conducted at the moment by the time their turn comes, it could be disastrous. The importance of bringing that into the motion was to emphasise the need for a reappraisal of the policy because these are the last people in the list and they are already suffering. It is disgraceful that the children of Gibraltar should suffer bronchitis as a result of dampness when this is not seen in the Western World,

that is the point we are making. When that is apparent, when the social cases are prevalent in the youth, when the young married are having extra problems, when these problems can be originated in housing and these same people by the Minister's own confession will not be dealt with for such a long time, doesn't that of itself warrant a reappraisal of housing? That is what we are getting at. We are not saying they should be put at the top of the list, we are saying move the list along. I don't know how many times I have to say it, Mr Speaker, and if the point of insensitivity comes up again, the insensitivity, Mr Speaker, is apparent in these same people who come to see me. I am not, as has been alleged, making a political football out of this otherwise I would have, perhaps, gone into detail on the individual cases. I have opted not to because I respect the dignity of the individuals involved and I will not, unless I am pressed, and without their consent, bring them into this matter. There is the proof of insensitivity, Mr Speaker, and it is no joke or figment of my imagination. I see it every single day, Mr Speaker, and the insensitivity is further progressed when for the last two months I have not been able to make any progress to see anybody about any of these cases, Mr Speaker. That is what hurts me. I find it frustrating that none of these points were answered, that the Minister for Labour and Social Security has not made a statement on the Family Care Unit, that the Minister for Medical and Health Services or the Honourable Minister for Municipal Services as a doctor has made any comment on the veracity and the validity of these claims on the medical cases, nothing of that has been reported. Instead what do I get? I get the Minister for Economic Development jumping up and down and complaining that I am distorting facts in relation to four houses when I should have referred to thirteen. I accept, that thirteen units would have been more accurate but that was not the main point, it was just a minor point of what I am saying. The distortion, Mr Speaker, if there is one, lies in the fact that this motion has not been answered, and yet we have the same Minister saying it is true that this House is greatly concerned and that the continued and escalating housing problem in Gibraltar cannot be denied but then they cannot agree with the rest of it. I think if you accept that point that we have a continued and escalating problem, the rest must follow, Mr Speaker. We need a reappraisal. It is also apparent to me from the Chief Minister's statement about how housing as a policy has evolved in a sort of historical manner, that nothing concrete has ever been laid down, no one has ever sat down and thought out a policy on the matter, Mr Speaker. That is what we want. I know, Mr Speaker, that however hard this Government tries to solve the housing problem, the solution will not come overnight and it is because the people are going to be asked to wait for a long time that I ask for great sensitivity because a bit of compassion goes a long way to help wait out the years. Mr Speaker, I come to the further argument of the Honourable Member, the Minister for Economic Development, who levied a

personal attack against me. He always seems to use invective when treating with my motions. I must say, Mr Speaker, it does hurt but I shall not resort to the same. I would like the press to report that I have been subjected to personal invective by that Minister and yet, Mr Speaker, he was talking about his humble talents and his humility as a politician. We also had the Minister referring to the difficulties of undertaking development on a large scale at this present time and referring to the many fiscal problems involved in such a matter and he used the figure of £28m for a project. It is difficult to analyse whether such a figure depends on the terrain to build on or whether it is just a figure to frighten us from asking for a development. In fact, Mr Speaker, he made no reference to his Government's inability during the last Development Aid Programme to use that money fully and I believe that that Development Aid Programme, the last one, was not used to its full capacity and never to its full capacity as regards housing.

HON M K FEATHERSTONE:

If the Honourable Member will give way. The amount of money being used in the last development programme which is finishing early next year, will not only use up all the money granted to us, but will use a considerable amount of our own money.

HON A J HAYNES:

The Honourable Minister in his contribution stated that as more houses are built and the subsidy is increased, this results in an accumulative cost to Government and I got the distinct impression then that perhaps he was giving an excuse for Government to drag its feet and perhaps it has been intentional on this matter not to build so as not to have the subsidy. If that is the case, then I think it should be made known publicly that this Government does not want to build houses at a greater pace because they are frightened of increasing the subsidy.

HON M K FEATHERSTONE:

If the Honourable Member will give way again. What I said was it will cause an increase in subsidy and it will have to be paid for and I also said that this Government, unlike the Opposition, is willing to put their hand in their pocket.

HON A J HAYNES:

It is not this Government, it is the people that we are talking about and perhaps we would show more confidence in measures of taxation if we were able to accept that this money was to be used efficiently unlike the present record. Mr Speaker, the Minister has also stated that the money that was used was

overseas development aid. Where the targets aimed met? Can he say yes? The answer is no, Mr Speaker.

HON M K FEATHERSTONE:

I can only say that slippage in our Government was the lowest slippage that we have had to date.

HON A J HAYNES:

We had the Minister for Housing saying that the problem was not two years old. I also made that point. The point is, Mr Speaker, that in my three years the problem has not improved and I would particularly emphasise that it has been progressively worse over the last six years. This brings me to a point made by all the others about the history of the housing problem. We all know that Gibraltar had a backlog to deal with after the war, after the closure of the frontier, but all these problems were met with new development and as my colleague the Honourable Major Peliza has stated, it is not for a Government to come and tell us how difficult everything is, it is for them to do something about it and his administration did do something about it. Then we had the Honourable Minister for Housing refer to his hobby horse of musical chairs, which is the decanting of overhousing, to solve 50% of the housing problem. Here is an area which has substantial merit but it is also prone to pitfalls of a personal nature. This policy should never adopt a bullying style of tactics. The Chief Minister shakes his head at that suggestion. Mr Speaker, people have come and told me that is what they feel. Again, another case of insensitivity. And that is not the answer, the answer is to build more houses. How often do we have to say it, Mr Speaker?

HON H J ZAMMITT:

Mr Speaker, if the Honourable Member would give way. I regret that he has again taken this attitude because although I accept that it has its pitfalls, I think he will have to agree that it is much more pathetic, taking up his previous argument, it is much more pathetic at least to me to see four or five children being brought up in one room than to tolerate a person being subsidised very heavily, invariably on rent relief, living alone in four rooms.

HON A J HAYNES:

Mr Speaker, I quite agree but the point is you cannot make those individuals who are overhoused the scapegoats for your housing problems. They are not the cause of the housing problem and they shall not be made a scapegoat by this side of the House. Then the Honourable Minister referred to Casola's Building, I made no reference to Casola's Building myself. The Minister said that there, after my motion, they

had acted promptly. Well, Mr Speaker, I remember that that motion was defeated and nevertheless they acted quickly, so they say. There are still people in Casola Building. They moved out the very worst. That one of those should have opted to go back does not give the Minister or anybody else an excuse to say: "You see, we can't help these people". They are people, Mr Speaker, they are entitled to proper housing accommodation. They were living in unfit accommodation, certified unfit accommodation, and it is not for the Minister to say: "Oh, we helped them, and look what they've done". He is there to help and if they don't show any gratitude, that is too bad. Perhaps, if he had bothered to form a personal kinship with these people, the problem would not have arisen. I think I meant friendship, Mr Speaker. The point I was trying to make there, apart from one further instance of insensitivity and a point which gives me some considerable hope is to think, I know this motion is going to be defeated, not by merit, not by justice but by a simple majority.

MR SPEAKER:

One must be careful not to suggest that we are doing something unjust in the House.

HON A J HAYNES:

I don't wish any injustice. Mr Speaker, I take hope and confidence in the fact that though the Casola Motion was defeated, action was taken afterwards. Not enough, because there are still people living there, but I hope that this motion, though defeated, will be acted upon. That is why I have not made it as vicious as I could have and I have perhaps motives or ammunition to make it such and I have opted not to do so. Lastly, Mr Speaker, I would emphasise a point I made earlier on. This has also been taken up by my colleague, and that is the present unhappy state of affairs where the responsibility in ministerial terms is not clear. In administrative terms it takes shape in the fact that four men or more are responsible for housing. In a more personal sense, the Minister for Housing has been there a long time, he has obviously been subjected to personal illness which none of us on either side of the House wish, it is time for him to be relieved of his duties and for another man to take his place. Here, Mr Speaker, I am sorry to say, I do not see any great willingness on the part of any of the Members on the other side to take up the task. Mr Speaker, it is a sorry note that now when we have the gravest housing problem, that no one should be seen to be directly in command. We hope with this motion to underline the need for a clear policy, compassion and a general impetus which all of us on this side will be able to support and encourage. With that, Mr Speaker, I commend my motion to the House.

Mr Speaker then put the question and ruled that the motion was a motion of no confidence in the Government and consequently the ex-officio Members of the House were precluded from voting in accordance with the proviso to Section 44(1) of the Gibraltar Constitution Order, 1969.

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

The Hon J Bossano
The Hon A J Haynes
The Hon P J Isola
The Hon A T Loddo
The Hon Major R J Peliza
The Hon G T Restano
The Hon W T Scott

The following Honourable Members voted against:

The Hon I Abecasis
The Hon A J Canepa
The Hon Major F J Dellipiani
The Hon M K Featherstone
The Hon Sir Joshua Hassan
The Hon J B Perez
The Hon Dr R G Valarino
The Hon H J Zammit

The motion was accordingly defeated.

ADJOURNMENT.

HON CHIEF MINISTER:

Mr Speaker, I beg to move that the House do adjourn sine die and in doing so, having regard to the time of the year, I would like to extend to you and to all Members of the House a very Merry Christmas and a Happy New Year.

HON P J ISOLA:

Mr Speaker, I would like to join in the felicitations both to you Mr Speaker, and to the Honourable Members opposite.

MR SPEAKER:

May I also express my sincere Christmas greetings to all Members of the House, to the staff of the House who help us so efficiently all through the year, the Hansard recording staff who patiently sit in the House recording what we have to say and, of course, the members of the Press and the Gibraltar Broadcasting Corporation.

Mr Speaker then put the question that the House adjourn sine die which was resolved in the affirmative.

The adjournment of the House sine die was taken at 5.00 p.m. on Monday the 21st December, 1981.