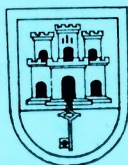


GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

Meeting of
17 March 1982
1 to 99

NO. 1 OF 1982

ORAL

THE HON J BOSSANO

Will transport contractors from Spain delivering goods in Gibraltar be required to hold a licence under the Trade Licensing Ordinance?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Yes, Sir. I should explain that international road haulage is the subject of bilateral agreements between a number of European countries including the United Kingdom and Spain. Agreements between the United Kingdom and certain other EEC countries, for example, Holland, provide for road haulage between these countries without the need for permits or quotas. The British Government will be requested to negotiate agreements between Gibraltar and Spain, as well as other countries to be specified, of the type existing between the United Kingdom and Holland, so that Gibraltar registered goods vehicles may enter such countries. Subject, therefore, to the favourable outcome of these negotiations it is envisaged that goods arriving at Gibraltar through the land frontier will be allowed into Gibraltar without the need for the transporter to be in possession of any special permit or licence. Discussions on these and related matters are to be held with an official from the Department of Trade and Industry who will be arriving in Gibraltar on 23 March.

SUPPLEMENTARY TO QUESTION NO. 1 OF 1982

HON J BOSSANO:

Mr Speaker, would the contractor delivering goods in Gibraltar from Spain require a licence under the Trade Licensing Ordinance in order to pick up a return cargo from Gibraltar?

HON A J CANEPA:

Yes, Sir.

MR SPEAKER:

Next question.

NO. 2 OF 1982

ORAL

THE HON J BOSSANO

Will persons working in Gibraltar and residing in Spain after 20th April be required to pay Income Tax in Gibraltar?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Sir, under the provisions of Section 6(1)(b) of the Income Tax Ordinance.

SUPPLEMENTARY TO QUESTION NO. 2 OF 1982

HON J BOSSANO:

Would such persons, Mr Speaker, be entitled to the same allowances under the Income Tax Ordinance as residents of Gibraltar?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Sir, provided that rules are made to that effect prior to the opening of the border.

HON J BOSSANO:

Is the Hon Financial and Development Secretary saying that in fact under our present legislation they would not be entitled to the allowances?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, the machinery is there, it is merely a question of making an Order.

HON W T SCOTT:

Mr Speaker, can I ask the Hon Financial and Development Secretary whether such allowances would take into account mortgages entered into outside of Gibraltar?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The allowances will be exactly the same for any person whether they are residents in Gibraltar or outside.

HON J BOSSANO:

Is this a matter, Mr Speaker, that the Government will do administratively or is it a matter that the House will have to decide by legislation?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

An Order is made by the Governor-in-Council.

HON J BOSSANO:

In respect of the question of mortgage interest, given the fact that our present legislation excludes interests on mortgages on property other than Gibraltar, for example, the law, I recall, was changed in 1978 to exclude mortgages and property in the United Kingdom, would the Government bear in mind that any inclusion of allowances that might be controversial would be preferably discussed in the House before the Order was made?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The Government has noted the Hon Member's views.

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

Will Government consider reviewing tavern licences to enable victuallers in Gibraltar to be competitive with their equivalents in the neighbourhood?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, the Government is prepared to consider any detailed representations which victuallers may wish to put forward in support of their case for a reduction in the scale of licence fees.

THE HON MAJOR R J PELIZA

Can Government state why there is so little information in the United Kingdom about the facilities that Gibraltar offers as a financial centre and will they consider preparing a folder as a handout for those making enquiries at the Gibraltar Tourist Office in London and others?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the London Tourist Office is designed to deal with enquiries on Gibraltar's tourist attractions. Enquiries at that Office regarding Gibraltar's position as a finance centre are few and far between. The Government has no evidence that there is any unsatisfied demand for information on the facilities that Gibraltar offers as a finance centre. The Development Brochure already provides information about Gibraltar and includes full details of its finance centre opportunities; it is available on request to the Secretariat by any person. However, this aspect will be referred to the consultant on finance centre activities who is in Gibraltar with the team investigating the diversification of the economy.

NO. 5 OF 1982

ORAL

THE HON P J ISOLA

Sir, has Government now completed its study on the structural changes that will be required in our fiscal system following the opening of the frontier and will Government make a statement as to its intentions and its policy in this respect?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, with your permission I propose to answer this question together with No. 89.

THE HON G T RESTANO

Mr Speaker, will Government state whether all or part of the £200,000 approved Government loan to Hoods Development Ltd has been paid to that Company and if so to what purpose has that loan been put?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, under the terms of the agreement governing this loan no issues were to be made by the Government after 1st July, 1981. By that date £147,525.29 had been taken up by the Company. All issues have been made on the strength of certificates from the contractor to the effect that the work had been completed satisfactorily. All certificates have been verified by the Public Works Department and the Government is satisfied that the loan has been used for the approved purpose, ie the water proofing of the Both Worlds Complex.

SUPPLEMENTARY TO QUESTION NO. 6 OF 1982

HON G T RESTANO:

Mr Speaker, to date what has been the Company's contribution towards this work?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, I would need notice of that question. The intention was at the time in which the Government was making a loan that the Company were going to put in something to the order of £450,000 to £ $\frac{1}{2}$ m.

HON G T RESTANO:

What I would like to know, Mr Speaker, is whether in fact the Company has used Government's money first and will then be using its own money or whether it was the intention of using both simultaneously?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, I have not examined the cash flow of the Company to see how the cost of the work was funded. What we do know is that work that they intended to do was being done and they were meeting part of the cost but how exactly the cash flow works I do not know nor could I say without looking at their books.

MR SPEAKER:

Next question.

NO. 7 OF 1982

ORAL

THE HON G T RESTANO

How many gaming machines was the Casino operator originally permitted to operate at the Casino and have there been any alteration of this number at any time since then?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, the exemption granted to the Casino operator on 27th August, 1965, stipulated that without the Government's written approval, which would not be unreasonably withheld, not more than 50 machines would be made available to the public. This number has gradually been increased at the request of the Casino to the present number of 100 machines.

SUPPLEMENTARY TO QUESTION NO. 7 OF 1982

HON G T RESTANO:

Mr Speaker, can Government say whether it is satisfied that in really a short period of time the permit of the operator should have been doubled in respect of gaming machines?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Sir, otherwise it would not have agreed the increases.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Would Government explain what reasons has lead it to take the decision to extend the exclusive concession already held by the operator of the gaming Casino by allowing this Company to transfer part of its operations to another site in the town area and is it envisaged that the building formerly known as the Continental Hotel will be used for this purpose?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I would first of all like to make it clear that the Government does not consider that the concession held by the Casino operators is an exclusive one.

In regard to the proposed transfer of the Casino's bingo operations to premises in town, the Government has accepted that the object of the move is to restore the Casino as an International Casino with the high standard for which it was originally designed. The Government has not received any application or enquiry for the installation of gaming machines in the building formerly known as the Continental Hotel, and I would draw the Hon Member's attention to a letter published in the Gibraltar Chronicle dated 4th September, 1981, where a director of the Casino specifically stated that it had never been the intention of his Company to move any of its facilities to the Continental Hotel.

SUPPLEMENTARY TO QUESTION NO. 8 OF 1982

HON G T RESTANO:

Mr Speaker, I understand from a letter which was addressed to me by the Hon Financial and Development Secretary that the agreement is that the International Sporting Club is allowed to transfer 75% of its gaming machines to other premises in town. Has the Government, in fact, approved any premises for this purpose yet?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Sir.

HON G T RESTANO:

Have there been any applications for any other premises?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Sir.

HON G T RESTANO:

Mr Speaker, does Government not agree that to allow a considerable number of money paying gaming machines in the centre of town would substantially mean that it is effectively encouraging and proliferating gambling in Gibraltar?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Sir.

HON G T RESTANO:

By allowing easier access to the public to gaming houses?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Sir.

HON G T RESTANO:

But, surely, Mr Speaker, the Hon Member cannot dispute that it is much easier to go to a premises in the town area for most people than to go all the way up to the present site of the Casino?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, this is a matter of opinion which I would not like to venture, it depends where you live, where you happen to be, when you decide you are going to play the fruit machines.

MR SPEAKER:

Not quite of opinion but, anyway, the answer has been given. Next question.

THE HON W T SCOTT

Sir, will Government inform this House of the public monies spent, giving details of such expenditure, as a result of the possible implementation of the Lisbon Agreement?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Sir, expenditure on the following projects has been incurred to the end of February, 1982, in connection with the restoration of communications with Spain.

1980/81

Public Works Department

	£	£
Four Corners - Customs and Immigration Offices	14,062	
- Works at Holding Area	12,915	
Purchase of Control Booths	15,656	
" " Motor Traffic Barriers	7,370	
" " Crowd Barriers	2,619	
Waterport - Customs	4,515	
Landport Area - Cleaning and Improvements	7,359	
Alameda Car Park - Resurfacing and Marking	3,569	
Security Fence - Four Corners	11,263	
Key and Anchor Club	6,236	
	<u> </u>	85,564

Police

Purchase of 448 Traffic Signs		8,064
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Customs

Purchase of Furniture and Equipment for Four Corners Custom House		<u>2,922</u>
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Total 1980/81 96,550

1981/82Public Works Department

	£	£
British Lines Road	76,719	
Road Markings - Airport Area	4,155	
Temporary Car Park - Four Corners	8,646	
Corral Road Traffic Lights-Works	1,418	
Lighting	880	
Four Corners - Customs House	642	
Erection of Traffic Signs	1,042	
Car Park - Queensway	11,498	
		105,000

Police

Road Marking	12,500	
Salaries and Allowances for one month of 25 Officers	12,700	
		25,200
	Total 1981/82	130,200

Total 1980/81 and 1981/82 - £226,750

I would, Sir, however point out that it would have been necessary in any event to programme some of these works, eg road markings, traffic lights, so as to help ease the flow of traffic.

SUPPLEMENTARY TO QUESTION NO. 9 OF 1982

HON W T SCOTT:

I am very grateful, Mr Speaker, Sir, for that comprehensive answer. Perhaps it might be circulated with the exact figures because it is rather difficult to take them down at the speed at which they were read and I appreciate that. Can the Government say, Mr Speaker, if it has arrived at any situation where there is a final figure that it can predict that will be spent in addition to the figures that we have already been given as to the implementation of the Lisbon Agreement?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

What I have, Sir, is details of additional work which is necessary, I will quite happily circulate it to Hon Members of the House. Additional work by PWD in British Lines Road; this will be after the date of February which I gave, car parking, traffic lights,

road marking and erection of traffic signs which comes to £208,500 and then the additional costs for this financial year of customs officers and their equipment. Uniform of officers is £5,000 and equipment £4,450 and Police 25 additional officers recruited including the filling of 8 vacancies and then there are recruitment of Labour and Social Security officers, Tourist Office, Environmental Health Department and Post Office who are not yet in post. We can get a figure put on these and circulate it to Hon Members.

HON W T SCOTT:

I am very grateful, Mr Speaker, but can I ask the Financial and Development Secretary particularly under the items of PWD whether in fact money, having already been expended in the provisioning or resurfacing of new roads and so forth at an early stage when we first had indication of the Lisbon Agreement being implemented last year or the year before, whether in fact work which had been done has now been undone?

MR SPEAKER:

I believe that that would be a new question. As I have always said I do not think Ministers can be expected to have that sort of information at their fingertips. On the other hand, if the information is available there is no reason why it should not be given.

HON M K FEATHERSTONE:

As far as I know, Sir, no work that has been done has been undone.

HON P J ISOLA:

Can I ask the Minister to look into the question of the traffic islands that have been constructed around the junction of Glacis Road and Winston Churchill Avenue which make it almost impossible for articulated lorries to go from Winston Churchill Avenue into Glacis Road and has there been close consultation on the sizes of the islands and the space that is left over because I personally have seen an articulated lorry not being able to go through or just making it in a very slow speed and I would have thought is it not the intention to keep traffic flow going between the Port area and the frontier area to and fro, has not that been taken into account?

HON M K FEATHERSTONE:

As far as I know my engineers studied the situation quite carefully and articulated traffic can get through there satisfactorily, the fact that they go slow may be a good point.

HON P J ISOLA:

May I tell the Minister they have to negotiate the bend, I saw it myself. Very little space seems to have been left for articulated lorries and coaches.

HON M K FEATHERSTONE:

We will look at it.

NO. 10 OF 1982

ORAL

THE HON J BOSSANO

Are non-EEC Nationals permitted to enter Gibraltar to seek employment under present legislation?

ANSWERTHE HON THE ATTORNEY-GENERAL

Sir, non-EEC Nationals, unless they are British Subjects employed in the service of the Crown, or their dependants, require entry permits to enter Gibraltar. Although it is the practice to allow bona fide visitors to enter Gibraltar, it is not current Government policy to grant entry permits in order to enable such persons to seek employment.

SUPPLEMENTARY TO QUESTION NO. 10 OF 1982

HON J BOSSANO:

So in fact, will the Hon and Learned Member confirm that the non-EEC Nationals who are currently in Gibraltar seeking employment are in fact outside the present legislation, that is the case, is it?

HON ATTORNEY-GENERAL:

Sir, I am not quite sure what the Hon Member means by outside the present legislation but it is not Government policy to grant entry permits for those persons to come and look for work. Permits will be granted if at the time they come in they appear to be bona fide visitors. Of course, once they are in it is not always possible to keep track of what they may do when they are in Gibraltar, there is no rule against trying to get an employment permit but they are done by the overall terms of the entry permit into Gibraltar.

HON J BOSSANO:

What I am saying, Mr Speaker, is if a non-EEC National comes as a visitor to Gibraltar, is he in fact free to seek employment once he is here or not?

HON ATTORNEY-GENERAL:

He is free to do so, Sir, but it is not Government policy to facilitate his doing so and he has no guarantee of course that he will get permission. He requires an employment permit and more precisely his employer requires an employment permit before he can legally work.

HON J BOSSANO:

Mr Speaker, has it not been the practice in Gibraltar throughout the last twelve years to require, for example, Moroccan Nationals who obtain employment in Gibraltar, to return to their country of origin before they are granted a work permit to come to Gibraltar?

HON ATTORNEY-GENERAL:

Mr Speaker, I am sorry I do not know the answer to that question, I would need notice of it.

HON J BOSSANO:

Mr Speaker, it is very relevant, with all due respect to the Hon Member. Will he then say that if it has been the practice, because I know the answer to the question, if it has been the practice to require Moroccan Nationals to return to their country of origin because they have found employment in Gibraltar having initially entered Gibraltar as visitors, would the Hon Member not agree that that is not a policy that should be applied exclusively to Moroccan Nationals and should apply equally to all non-EEC Nationals or to none?

HON ATTORNEY-GENERAL:

Sir, I will not say whether I agree or not. If they are aliens who come into Gibraltar they have to have an entry permit to come in and they have to have a permit before they can start working, a permit has to exist in respect of them before they start working. I can enquire as to whether or not it is policy for them to have to go back again and re-apply but I think I have answered the original question.

MR SPEAKER:

What you have been asked now is if it is the policy to send back Moroccans who come to Gibraltar as visitors before they can be given a permit to enter to work, whether that policy is going to be continued irrespective of nationality.

HON ATTORNEY-GENERAL:

Sir, I think the answer is yes.

HON J BOSSANO:

The answer is yes, that in fact it is the policy to ask, it has been the practice certainly, Mr Speaker, for the last twelve years. I am saying if that is the practice, would the Hon Member agree with me that that practice must either apply equally to all non-EEC Nationals or if it is not going to apply to some it should apply to none? Would he not agree with that?

MR SPEAKER:

With due respect to the Hon Member, the answer has been yes. It is Government's policy to continue that policy.

HON P J ISOLA:

Is it not a fact, Mr Speaker, that with the frontier opening it will be impossible, really, in practical terms, to stop people coming in on other pretexts and look for employment but even if that occurs they would still require a permit to get work and there is no reason why the practice followed until now should not be adhered to?

MR SPEAKER:

They have given an undertaking that it will.

NO. 11 OF 1982

ORAL

THE HON J BOSSANO

After how many years of residence in Gibraltar does an EEC National acquire the right to permanent residence?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, the entitlement of an EEC National to permanent residence in Gibraltar is set out in Sections 54 to 56 of the Immigration Control Ordinance.

A person in wage paid employment is entitled to permanent employment if he reaches the age in Gibraltar for entitlement to old age pension and he has resided continuously in Gibraltar for three years and has been employed in Gibraltar for at least the previous twelve months, or if he has resided for at least two years continuously in Gibraltar and ceases work because of permanent incapacity, or, having resided and worked continuously in Gibraltar for three years, he is employed in a Member state and keeps his residence in Gibraltar to which he returns once a week.

Under Section 55 the members of the family of a wage paid Community National who dies during his working life before he acquires the right to permanent residence are themselves entitled to permanent residence here if he had lived continuously at least two years in Gibraltar at the date of his death and he died because of industrial accident or occupational disease and his spouse is Gibraltarian.

SUPPLEMENTARY TO QUESTION NO. 11 OF 1982

HON J BOSSANO:

Mr Speaker, is it then the case that an EEC National does not acquire the right to permanent residence during his working life?

HON ATTORNEY-GENERAL:

The right to permanent residence arises on one of the happenings of the three events I have referred to and they, except in the third case, they do depend on his having ceased to work. The third case, I think, contemplates that he is still working, that he has a connection with Gibraltar.

HON J BOSSANO:

So, in fact, Mr Speaker, the position is that the right to permanent residence is acquired on ceasing work, on dying or on going to work in another country but what I am asking is, is there in fact a right to permanent residence during the course of an EEC National's working life in Gibraltar?

HON ATTORNEY-GENERAL:

Sir, I think I have answered the question at the outset.

HON J BOSSANO:

Mr Speaker, what I cannot understand is that the Chief Minister seems to be saying yes and the Hon and Learned Attorney-General seems to be saying no, that is what I cannot understand.

HON CHIEF MINISTER:

I asked the Hon Attorney-General to repeat the answer because it is there.

HON J BOSSANO:

The answer that I have been given, Mr Speaker, perhaps the Hon Member will confirm this, is that an EEC National acquires a right to permanent residence on ceasing employment either because he reaches pensionable age or because he ceases work on grounds of illness or because he ceases work because he dies, obviously, he does not require permanent residence then, he will be resident permanently whether he likes it or not but his family obviously acquires the right so the right is there, or because he moves from working in Gibraltar to working in another EEC country but continues to hold a place of residence in Gibraltar. I am then asking, does this imply, Mr Speaker, that an EEC National does not acquire a right of permanent residence in Gibraltar during his working life? Is the answer to that yes or no?

MR SPEAKER:

In fairness to the Hon Attorney-General, the implications of the law is to be derived and to be taken by the person who interprets it and not by the Attorney-General. I think the answer to the question is very clear. A member of the EEC has a right of residence in the particular country where he is working by the fact that he is working in it and he will acquire permanent residence on separate conditions which have been specified.

HON ATTORNEY-GENERAL:

Sir, if I may comment further. I think the answer is yes, it is only on those three situations and I think the best situation really is a fourth one which confers the benefit on his family, in my understanding, which gives the right to permanent residence but there are of course earlier provisions in our law which give him the right to come and to look for work and to remain in Gibraltar under a residents permit but not a permanent permit if he finds work within six months.

HON J BOSSANO:

Mr Speaker, I am sorry to labour the point but I am not getting a specific answer to my specific question.

MR SPEAKER:

The specific answer that you require is based on the interpretation of legislation and we must not get bogged down on that one.

HON J BOSSANO:

I am not seeking the interpretation of legislation, Mr Speaker. My question is, does an EEC National in Gibraltar have a right to permanent residence before he ceases work and, if so, after how many years? Is the answer to that yes or no? Does he have a right to permanent residence while he is working in Gibraltar?

HON ATTORNEY-GENERAL:

I think the answer cannot be more specific than this, it is yes in the third case I have cited otherwise he has a right to reside for the purposes of work.

HON J BOSSANO:

Mr Speaker, the third case as I understand it is if he takes employment in another state and holds residence in Gibraltar. If there is, for example, Mr Speaker, an EEC National who has lived and worked in Gibraltar for twenty years but has not ceased employment either through old age or through disability, does he then have a right to permanent residence or not? Yes or no?

HON ATTORNEY-GENERAL:

The position of my understanding, Sir, is not but he has a right to remain in Gibraltar to look for work.

HON J BOSSANO:

And is there any limitation on the period of time that he can spend in Gibraltar looking for work?

HON ATTORNEY-GENERAL:

The basic rule, Sir, is that he can come in for six months to look for work and you are entitled as a right to come in and if you find work you can stay.

HON J BOSSANO:

But this is initially, Mr Speaker. If, say, an EEC National becomes unemployed does he have a right to permanent residence and if not does he have a right to continue to reside in Gibraltar to seek employment indefinitely or only for a period?

HON ATTORNEY-GENERAL:

I have to consider that further, Sir, I do not know.

MR SPEAKER:

Next question.

NO. 12 OF 1982

ORAL

THE HON J BOSSANO

Will British Subjects residing in Spain be permitted to vote in Gibraltar?

ANSWERTHE HON THE ATTORNEY-GENERAL

The Elections Ordinance does contain provision whereby British Subjects who are ordinarily resident in the Campo area and meet other legal requirements are eligible to vote in elections in Gibraltar. The qualifying area in Spain is defined by the Elections Ordinance by reference to Her Majesty's Vice Consular districts at La Linea and Algeciras. Because these Vice Consulates have been abolished, and their functions taken over by a consulate at Algeciras, it will be necessary for the Government to consider a revision of this provision in the Ordinance, which it will do in due course.

SUPPLEMENTARY TO QUESTION NO. 12 OF 1982

HON J BOSSANO:

Mr Speaker, would the Government whilst they are considering this provision, in fact, consider the whole question of voting rights for British subjects residing in Spain which I would submit, Mr Speaker, that the Government should take in a wider political context than simply a question of the technicality of the area because of consular changes. Will they look at it, Mr Speaker, in its wider political implications given the potential situation that an electorate residing in Spain might eventually be bigger than an electorate residing in Gibraltar and will they look at it in that light?

HON ATTORNEY-GENERAL:

Sir, I think the fact that the Vice Consular districts have been abolished does, as I say, provide the opportunity to review the question of eligibility, it is obviously a political matter but this opportunity is there to do so.

MR SPEAKER:

Next question..

NO. 13 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, can Government say when Tank Ramp will be opened to vehicular traffic?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, vehicular traffic is using Tank Ramp albeit that final surfacing work on the last section has not yet been completed.

SUPPLEMENTARY TO QUESTION NO. 13 OF 1982

HON A T LODDO:

Mr Speaker, can I then ask when will it be officially opened to vehicular traffic?

HON M K FEATHERSTONE:

When we have finished the urgent works with regard to the possible opening of the frontier we will then have spare capacity and we would hope to do that. I should say by June.

HON A T LODDO:

Mr Speaker, I take it that it is June of this year not 1986 as I was told at the last meeting?

HON M K FEATHERSTONE:

We are thinking of putting it back to 1987, no, Sir, it will be June this year.

MR SPEAKER:

Next question.

NO. 14 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, can Government say whether any summonses have been issued to owners of vehicles and plant machinery left abandoned in the enclosed land below Gardiner's Road, known as the Olive Grove?

ANSWERTHE HON THE ATTORNEY-GENERAL

Sir, no summonses have been issued nor have any complaints been received.

SUPPLEMENTARY TO QUESTION NO. 14 OF 1982

HON A T LODDO:

Mr Speaker, will Government now issue summonses in respect of these vehicles?

HON ATTORNEY-GENERAL:

Mr Speaker, perhaps I can explain that the criminal law is enforced on complaint, if complaints are made they will be processed.

THE HON G T RESTANO

Is the Attorney-General now in a position to give details of the report made some years ago on the Fire Service and in particular the recommendations made therein as to the qualifications that should be held by the Chief and the Deputy Chief Fire Officers and furthermore are these recommendations to be adhered to in the future?

ANSWERTHE HON THE ATTORNEY-GENERAL

Sir, I regret it has not been possible to identify the report referred to by the Hon Member. The qualifications required for the posts of Chief Fire Officer but not the post of Deputy were determined by the City Council prior to the merger and these requirements were adopted by the Government when it took over the Fire Service. In the case of the Deputy Chief Fire Officer the qualifications were adopted by an administrative decision after the merger.

SUPPLEMENTARY TO QUESTION NO. 15 OF 1982

HON G T RESTANO:

Mr Speaker, what were these qualifications?

HON ATTORNEY-GENERAL:

Sir, I gave these in answer to my question No. 290 last year.

HON G T RESTANO:

I think, Mr Speaker, in the case of the post of Deputy Chief Fire Officer that answer was not given in December.

HON ATTORNEY-GENERAL:

In relation to the post of Deputy Chief Fire Officer I have said that the matter is now under review.

HON G T RESTANO:

Was the qualification that the Deputy Chief Fire Officer should be a member of the Institute of Fire Engineers?

HON ATTORNEY-GENERAL:

You mean previously? Mr Speaker, I think that I am not sure that that was the case but the matter is now under review again.

MR SPEAKER:

Next question.

THE HON P J ISOLA

In view of the internal security situation arising from the re-opening of the frontier and especially having regard to the proposals to keep the same open throughout the day and night, will Government make arrangements to ensure that our streets are better patrolled and controlled by policemen on the beat?

ANSWERTHE HON THE ATTORNEY-GENERAL

Yes, Sir. Policing arrangements are always kept under review to meet changing circumstances.

SUPPLEMENTARY TO QUESTION NO. 16 OF 1982

HON P J ISOLA:

Yes, I know, but can the Attorney-General assure me that the arrangements to ensure that the streets are better patrolled than they are today and more policemen on the beat will in fact occur, that is what I want to know?

HON ATTORNEY-GENERAL:

Sir, I have said when the frontier opens the answer will be, yes. I am not implying from that that the streets are not properly patrolled now.

HON P J ISOLA:

Is the Hon and Learned Attorney-General aware that very few policemen are seen around Gibraltar at night?

HON ATTORNEY-GENERAL:

Whether or not that is the case, Mr Speaker, I am not saying that the streets are not properly patrolled. What I understood to be the point of the question was this, that when the frontier is opened, because of the changing circumstances, will further arrangements be made and the answer is yes, circumstances are always reviewed when they change.

HON P J ISOLA:

Will the Hon and Learned Attorney-General assure this side of the House and in fact the general public of Gibraltar, that as from the day that the frontier opens we can expect to see, especially at night, our streets with more policemen on the beat? Are arrangements being made so that that occurs as from April 21st, that is my question?

HON ATTORNEY-GENERAL:

Sir, let me make it quite clear I do not concede that the streets are not properly patrolled now. When the frontier is opened, arrangements that are appropriate then will be made. Whether they take the form of more men on the street or not is a matter, I think, for the judgement of the police authorities and I think by the nature of arrangements of this kind, it is not possible to disclose exactly what they are but the substantive answer to the question is yes, arrangements will be made to meet the exigencies of an open frontier.

HON P J ISOLA:

Mr Speaker, having said that the Hon and Learned Attorney-General says something different. May I ask just a simple question, can the Hon and Learned Attorney-General assure this House that there will be more policemen on the beat in our streets in Gibraltar as from April 21st of this year? That is the question, that is the concern that is being expressed, that is the concern we fully share on this side of the House and we want to know whether this is going to occur.

HON ATTORNEY-GENERAL:

Sir, I am not prepared to say how the arrangements may be made to deal with the situation. Whether they take the form of more policemen, whether they take some other form I cannot say but better arrangements to meet the situation will be made.

HON P J ISOLA:

Can the Hon and Learned Attorney-General ask the Commissioner of Police to consider these matters urgently and inform either this side of the House, inform me, or make a press statement assuring the general public of their safety once the frontier is opened? Is the Hon and Learned Attorney-General aware that there is great concern about the amount of crime that exists in the area near Gibraltar and that we know is likely to infiltrate and that the people of Gibraltar have to be reassured about their security at night?

HON CHIEF MINISTER:

Sir, the question has taken a much broader view and I think I ought to answer that one because I have been particularly concerned about that. I can assure the House that the elected Government has made the strongest representation to the police authorities and to the Deputy Governor and to the Governor regarding the new situation which arises out of the open frontier. The Government is fully conscious of the concern that there is about the question of the continuing good state of public order as now existing and the need to maintain it and whilst it is a matter for the Commissioner of Police as to how he carries that out, he has with the consent of the Government, recruited

additional people who are being trained now in order that his effective force will be much bigger than it is now to be able to cope, according to his judgement, in respect of the new situation. It is a matter in which I think I ought to give a general assurance that that is a matter which is of great concern to everybody in Gibraltar and I entirely agree with the Leader of the Opposition that it is a new situation which must be dealt with with a fresh look and I am satisfied from the fact that we have given the Commissioner of Police all his requirements for satisfying that criteria that that will be the case.

HON P J ISOLA:

Mr Speaker, may I thank the Chief Minister for that much more forthright statement on the situation but can I still ask that we do have some statement made before the frontier is opened on what is going to happen because will the Chief Minister not agree that it is going to be very difficult for this side of the House to vote supplementary expenditure for the Police Department, for vehicles and all the trimmings that the Police Force like to have, without being assured on this very fundamental point as far as the people in Gibraltar are concerned?

HON CHIEF MINISTER:

I can only say that between now and when we come to deal with the supplementary estimates I shall try and get, to the extent that it is in the interest of security, a statement from the Commissioner of Police in this respect. I am assuming this over the head of the Attorney-General who is responsible for the Police but the matter is of a very wide implication in which we are very greatly concerned and I am sure he will not mind if I do that but on the other hand I must support his view that how the Commissioner of Police in his judgement and his advisers carry out the extra functions that are required is really a matter that must be for his discretion and he will stand judgement for whatever happens and therefore the nature of the way in which it is proposed to be done is a matter for him. I will readily agree that it does give, and I am sure that there will be no lacking in that, it does give some comfort particularly it should give some comfort at the beginning, the first days of an open frontier, to see policemen around, I agree with that, sometimes you see too many of them I am told but, anyhow, for the time being I will refrain from that and be able to make a statement at the time of the supplementary estimates.

MR SPEAKER:

Next question.

NO. 17 OF 1982

ORAL

THE HON W T SCOTT

With regard to the recent recruiting drive by the Customs Department, will Government inform this House of the number of vacancies, the number of applicants, the minimum qualifications and if any preference was given to young Gibraltarian applicants?

ANSWERTHE HON THE ATTORNEY-GENERAL

Sir, 21 vacancies for Assistant Officers have been filled in the Customs Department.

Following established recruitment procedure a total of 33 applications were considered from among resident British subjects holding a minimum of 5 'O' level passes in the General Certificate of Education (GCE) examinations, or acceptable equivalent, one of which had to be English Language, and the candidates were considered on their merits.

SUPPLEMENTARY TO QUESTION NO. 17 OF 1982

HON W T SCOTT:

Mr Speaker, Sir, is there an occasion in which an applicant having fulfilled the minimum qualifications was passed over for another applicant who might perhaps have had lesser qualifications?

HON ATTORNEY-GENERAL:

Not to my knowledge, Sir. There were in fact more than 33 enquiries but 33 people were considered because they met the minimum standards. I am not aware that any applicant who had less than the minimum standards was preferred over an applicant who had the minimum standard or better.

HON J BOSSANO:

Mr. Speaker, the 33 applicants included those from within the service?

HON ATTORNEY-GENERAL:

Yes, there were applicants from within the service. In fact, I can say that of the 21 vacancies there were 4 posts which were filled from Government officers who applied to be transferred.

HON J BOSSANO:

Will the Hon Member confirm that a Clerical Officer in post who seeks a level transfer to the Customs Department does not need to meet the minimum requirements of 5 'O' levels?

HON ATTORNEY-GENERAL:

I do not know whether that is the case but it sounds as though it could be right.

MR SPEAKER:

Next question.

NO. 18 OF 1982

ORAL

THE HON P J ISOLA

Sir, will Government make representations to ensure that British Gibraltarians who wish to register as British Citizens under the British Nationality Act will be able to do so by applying in Gibraltar for the same and will Government make further representations that in the case of registration as British Citizens by British Gibraltarians only a nominal fee should be paid?

ANSWERTHE HON THE ATTORNEY-GENERAL

Sir, when the British Nationality Act, 1981, comes into operation, it will be possible for Gibraltarians who wish to register as British Citizens to apply in Gibraltar to be so registered. The question of the appropriate level of registration fee is one that will be considered in due course.

SUPPLEMENTARY TO QUESTION NO. 18 OF 1982

HON P J ISOLA:

Sir, will Government take into consideration the fact that only two days ago the Home Secretary, in answer to a written question, gave the registration fee payable in respect of discretionary registration as British Citizens both as naturalisation and as other and is he aware that in fact the minimum fee is over £70 per registration?

HON ATTORNEY-GENERAL:

In the case of discretionary applications, Sir, I was not aware that that was the minimum fee but can I say this that there will be consultation, it is a matter for regulations made under the Act as the Hon and Learned Member will appreciate, but there will be consultation, of course, with Gibraltar before the fees are fixed. I should perhaps also add that I think it may be difficult to have a special fee, I think it is going to have to be a standard fee, but that is anticipating the matter. There will be consultations before the fees for present purposes are fixed.

HON P J ISOLA:

Could I ask, Sir, that representations be made that in the case of people like British Gibraltarians who will be entitled to register as of right, the Government should make representations to the British Government that the will of Parliament should not be thwarted by putting a fee which is beyond the means of many British Gibraltarians?

HON ATTORNEY-GENERAL:

I would say, Sir, that I agree that there would seem to be a valid distinction between a discretionary application and an application to which one is entitled and it will be more than a question of representation, there will be consultation on the matter and it would seem to me that that is one argument which could be put forward convincingly if the Government chooses to do so.

HON G T RESTANO:

Mr Speaker, does the Hon Member have any indication as to when Gibraltarians will be able to register?

HON ATTORNEY-GENERAL:

As the Hon and Learned Chief Minister says the statute will come under force on the 1st January, 1983, and it should be possible immediately thereafter to make your application.

HON J BOSSANO:

The passports at present in issue under the existing British Nationality Act which in fact say that we are Citizens of the United Kingdom and Colonies, what happens with those? Have they got to be exchanged or they continue in use, does the Hon Member have any information on that?

HON ATTORNEY-GENERAL:

I think that is an aspect of the matter which falls to be considered consequentially, if you like, I think it is a matter which remains to be looked into. I do not know what the plans are at present.

HON J BOSSANO:

Presumably, Mr Speaker, another matter that needs to be cleared for the Gibraltar Government purposes is the passports they will be issuing in Gibraltar after the 1st of January, 1983, is that something that needs to be cleared as well?

HON ATTORNEY-GENERAL:

I will take note, Mr Speaker, but again it is a matter which obviously will have to be considered.

MR SPEAKER:

Next question.

THE HON J BOSSANO

Is Government aware that hydrofoils and other passenger carrying vessels are being or have been permitted to operate from Gibraltar in circumstances which do not meet the standards of safety and certifications laid down by the laws and practice of Gibraltar and if so does Government propose to take adequate steps to ensure that passengers receive the full protection of the law regarding safety standards?

ANSWERTHE HON THE ATTORNEY-GENERAL

Sir, the Government is aware that complaints have been made from time to time concerning the operation of passenger shipping services from Gibraltar. The Port authorities investigate such complaints and, if they are found to be well-founded, they take the appropriate action to see that they are remedied before the vessels leave Gibraltar. The Government considers that passengers on services leaving Gibraltar do receive the full protection of the law regarding safety standards and will continue to enforce such standards.

SUPPLEMENTARY TO QUESTION NO. 19 OF 1982

HON J BOSSANO:

Is the Government aware, Mr Speaker, that one particular vessel was arrested by the operators because it was incapable of fulfilling the requirements put on it from a safety standard point of view so that it is more than just complaints, is the Government aware of that?

HON ATTORNEY-GENERAL:

I am aware that there was a vessel which was arrested. I understand that is a matter in which litigation is pending. The vessel, so far as the Government is concerned, was not operating as a passenger service at the time it was arrested, I think that is correct.

HON J BOSSANO:

Because it was not capable of doing so, Mr Speaker. Will the Hon and Learned Attorney-General not agree that it should be a standard practice for the Port authorities to check on the standards of safety on their own initiative without having to receive complaints?

HON ATTORNEY-GENERAL:

This is quite a complicated matter, Mr Speaker, and there are two aspects to it. There is the question of the legal requirements that apply and there are questions, I think, of maritime safety practice. The legal requirements are determined by the statute

which vests in the Captain of the Port certain discretions and another aspect of the matter is that vessels may be given their certification in Gibraltar or they may be given overseas certification and a question of recognition of the overseas certification arises. Where the Captain of the Port in the exercise of his statutory discretion recognises those overseas certificates there, I think, the proper position to take although it is really a matter of administrative practice but my own view would be that the proper position to take would be to satisfy yourself at the outset that the certificates appear to be in order. To act on a complaint which may be received from any other operator or other person who wishes to make a complaint, if one thinks the complaints are lawful and if action can be taken in Gibraltar to do something about it, to do it, if action cannot be taken in Gibraltar to refer back to the state which issued the certificates. Where a foreign operator is operating under a certificate which Gibraltar has recognised I think that the most appropriate position is that the primary duty lies on that operator to keep himself within the scope of the certificate.

HON J BOSSANO:

Does in fact the Port authority, Mr Speaker, have the right to refuse permission to any vessel to sail from Gibraltar if it is not satisfied as to its safety regardless of the state of its certificates?

HON ATTORNEY-GENERAL:

May I answer that in two stages, Mr Speaker. First of all, if a vessel falls below the requirements contained in the certificate, it is then in the position of not being approved, in effect, and the Captain of the Port may, and I can think of one case in which he has, stop the vessel from sailing. If the certificates authorise it to sail on certain conditions but the Captain of the Port feels that those conditions are not safe to sail, as a matter of law I think he does have the power to say: "Notwithstanding the certificate I will stop you from sailing". I think that it is not a difficult matter but a serious matter because once you recognise international certificates from another country there is a question of comity involved.

HON J BOSSANO:

Would the Hon Member agree that particularly vessels that are on the borderline of meeting the requirements may just be above the borderline when the certificate is issued and fall below it again subsequently?

MR SPEAKER:

We must not labour the point because we are now digressing from the question.

HON J BOSSANO:

I am concerned, Mr Speaker, that irrespective of, shall we say, the technical position, it should be clear that the Port authority have got the power to act in the interest of the safety of the passengers and the crew irrespective of what the technical position may be if there is a danger to life.

HON ATTORNEY-GENERAL:

Mr Speaker, I welcome the opportunity to comment further on this. I think the legal position is yes. I would like to emphasise the legal aspects and the aspects of practice. I think it is one thing to be within the legal criteria, it may be that considerations of practice will place a stricter standard of enforcement but the overall position in Gibraltar, as I see it, is that the Captain of the Port derives his powers from a Gibraltar Ordinance and those powers are discretionary, he has to meet certain minimum requirements but he has the discretion, in my view, if he wants to, to set a higher standard in a particular case. If a situation is dangerous I think he can intervene and say: "Notwithstanding your certificates I do not want you to sail", but it is a serious step to take because I think where you recognise foreign certificates you have a question of comity involved. The other point I would like to stress is I think that the dictates of the Ordinance unless it is public safety I do not think other commercial considerations apply, it is a question of maritime safety at sea and the Captain of the Port is the man who is charged with that responsibility.

MR SPEAKER:

We will leave it at that because we cannot labour the point unless there is some further information you require but let us not debate the matter.

HON J BOSSANO:

There is one further point that I would like to make, Mr Speaker, arising out of this. Will the Government confirm, in fact, that this responsibility is a responsibility that goes beyond the scope of the original question in that it applies to all ships that are in the Port of Gibraltar? That any ship in the Port of Gibraltar places a responsibility on the Port authorities to satisfy themselves as to its safety and as to the fact that it is in a safe condition to sail before permission is given for the ship to sail?

HON ATTORNEY-GENERAL:

I think this question, if I may say so, does go rather beyond the scope of the original question but I think at the same time there are certain legal responsibilities which Gibraltar would have over and above that and I think it would be accepted that there are responsibilities, broader if you like, some responsibility for the fact that a ship happens to be within Gibraltar waters. In saying that I would not like to detract from the fact that if another

country issues a certificate in accordance with some recognised international convention I feel myself that the primary responsibility for the wellbeing of that ship rests with that country.

HON P J ISOLA:

Whatever may be the position, isn't there something to be said and is the Attorney-General satisfied on this, that in respect of ships that carry passengers and ply regularly into and out of Gibraltar, the Captain of the Port should have the power to ensure that they do not sail if they are not safe, whatever the conventions may say? He is on the spot and if it is happening every day, for example, is not there something to be said under which either the Captain of the Port acts on behalf of the foreign authority who has issued the certificate and can act effectively rather than send a complaint and wait for it to be processed, in other words, something to ensure that the Captain of the Port knows that he has got the power to stop ships that are carrying passengers from doing so if they are not safe? I am not talking of standards, I am just talking of the safety aspect.

HON ATTORNEY-GENERAL:

Ultimately, Sir, I think, yes, but I think he is entitled in the normal course of events to rely both on the flag state and on the master of the vessel to keep within safety standards but, ultimately, yes.

MR SPEAKER:

Next question.

NO. 20 OF 1982

ORAL

THE HON G T RESTANO

Would Government amend local legislation, in line with UK legislation, to ensure that the true names of owners of businesses are displayed in business premises and on relevant documents?

ANSWERTHE HON THE ATTORNEY-GENERAL

Sir, I take this question to refer to the Registration of Business Names Act, 1916. There are no proposals at present to enact such legislation in Gibraltar.

SUPPLEMENTARY TO QUESTION NO. 20 OF 1982

HON G T RESTANO:

No, Mr Speaker, I was referring to relevant sections of the Companies Act, 1981, which came into force on the 26th February this year.

HON ATTORNEY-GENERAL:

Mr Speaker, the Hon Member has the advantage over me. There are no proposals at present. The Companies legislation is obviously in a sense a matter on which law reform touches and I would be happy to look at the matter.

THE HON J BOSSANO

Will the families of persons residing in Spain but working in Gibraltar be covered by the registration of the contribution to the GPMS and be entitled to use the Health Centre?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES

Mr Speaker, the dependents of registered persons who are entitled to treatment are the spouse and any children under the age of 18 years, or who are over that age but undergoing full-time education. Other persons may be accepted as dependents at my discretion.

However, in the case of registered persons who are residing in Gibraltar under a permit of residence or residence permit, their dependents are not entitled to treatment unless they are residing in Gibraltar under such a permit.

SUPPLEMENTARY TO QUESTION NO. 21 OF 1982

HON J BOSSANO:

Mr Speaker, I have not had the question answered. I know what the position is at the moment. I am asking whether, in fact, a person who resides in Spain, not in Gibraltar on a residence permit, but in Spain, whether that person will have his family covered. Presumably that person would be covered himself if he worked and paid a contribution in Gibraltar but I want to know whether the person's family would be covered on the same grounds as somebody residing in Gibraltar?

HON J B PEREZ:

I think, Mr Speaker, I have already answered that question. The answer is, I will repeat it again. The dependents of registered persons who are entitled are the spouse and the children under 18 unless they are undergoing full-time education. However, those registered persons residing in Gibraltar under a permit of residence or residence permit, their spouses or children are not entitled unless the spouse is in fact residing under a permit of residence in Gibraltar.

HON J BOSSANO:

Yes, I am aware, Mr Speaker, that people who are today residing in Gibraltar and whose families are not residing in Gibraltar, the spouses are not covered. In fact, that applies to everybody irrespective of nationality although the bulk of those are obviously Moroccan Nationals. What I am saying is, on the opening of the frontier what is the position of the families of residents in Spain?

HON J B PEREZ:

They are not covered unless the spouse is also working in Gibraltar and residing in Gibraltar under a residence permit.

HON J BOSSANO:

So the position would be in fact that there will be effectively no extra call on the services as a result of the frontier opening because the same number of people would be covered as there are today?

HON J B PEREZ:

Yes.

HON W T SCOTT:

Mr Speaker, may I follow that line of questioning, in fact, by assuming that there is a Gibraltarian working in Gibraltar who takes up residence in Spain. Would his family and spouse resident in Spain be covered by the GPMS?

HON J B PEREZ:

As the law stands today, Mr Speaker, in that case, my interpretation of the law is yes.

HON J BOSSANO:

The law, in fact, does not say then that in order to be covered by the Health Service one has to be resident in Gibraltar?

HON J B PEREZ:

The applicable section is section 2 of the Ordinance which defines who is entitled to register and registration is based on employment in Gibraltar. Section 2, sub-section 1, also deals with definition of dependents and in the answer that I have given to the House, Mr Speaker, I have been quoting more or less from that particular section.

HON J BOSSANO:

Mr Speaker, anybody in employment in Gibraltar irrespective of where he is residing is covered by the right to use the Health Centre, that is the position, isn't it?

HON J B PEREZ:

Yes, but not for the spouse.

HON J BOSSANO:

But in the light of the answer given to my Hon Friend, Mr Scott, the position then is that as far as the dependents are concerned, the dependents who are not resident in Gibraltar are not covered unless they are the dependents of someone who does not require a residence permit?

HON J B PEREZ:

Yes, that is right.

MR SPEAKER:

Next question.

NO. 22 OF 1982

ORAL

THE HON MAJOR R J PELIZA

Is Government satisfied that the existing public health amenities are sufficient to meet the extra requirements of the daily visitors?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Assuming that the Hon Member is referring to public toilets in particular, this is a difficult question, as we have no idea as to the actual numbers of daily visitors entering Gibraltar following the opening of the frontier.

The public toilet facilities that exist today were certainly adequate prior to the closure of the frontier. Today there are a considerable number of additional catering and drinking establishments, which will no doubt, be patronized by visitors, all of which provide toilet facilities for patrons.

SUPPLEMENTARY TO QUESTION NO. 22 OF 1982

HON MAJOR R J PELIZA:

In other words, the Minister is satisfied that there are sufficient amenities.

HON M K FEATHERSTONE:

For the moment.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Mr Speaker, will Government give a full explanation as to its policy towards the importation of poultry from USA?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES

Mr Speaker, in the interests of public health, the Government's policy on the importation of poultry from the USA is the same as that applied to poultry imports from any source, namely, that poultry imports intended for sale for human consumption must comply with the Imported Food Regulations. These Regulations require that each consignment is imported only on a permit issued by the Director of Medical and Health Services (Reg 11(1)) and the conditions governing the issue of such permits are that each consignment is accompanied by both a Health Certificate and an Official Certificate (Reg 11(2)(e)). A list of official certificates currently recognised is kept by the Environmental Health Department and is the same one used by the Ministry of Agriculture, Fisheries and Food for England and Wales.

In the event of difficulties arising in finding an approved source of a particular food popular for local consumers, as is currently the case with US chicken parts, Reg 2 of the said Regulations provides that the producing establishment must satisfy the Director that the poultry meat was derived from poultry inspected ante and post mortem and passed in accordance with criteria satisfactory to him and that the dressing, packing and other preparation of the poultry meat was carried out with all precautions necessary for the prevention of danger to health.

SUPPLEMENTARY TO QUESTION NO. 23 OF 1982

HON G T RESTANO:

Mr Speaker, would the Hon Member explain why there has recently been a restriction on the importation of poultry from the United States after 25 years of importation?

HON J B PEREZ:

Mr Speaker, Sir, I do not think it is fair to say that there has been a restriction on the United States. The Government decided, due to EEC directives, to bring into force the Imported Food Regulations. Meetings were carried out in the trade, they were consulted and the matter was brought to this House and that was a matter of policy. It is arising from the effects of the Imported Food Regulations that importers of certain particular products are finding certain difficulties but as I assured the Hon Member in the previous meeting of the House, the Department has held various meetings with them and the matter is in fact being sorted out to the satisfaction of the importers and, of course, of the Environmental Health Department. It arises from the law, the Imported Food Regulations which we passed last year.

HON G T RESTANO:

Mr Speaker, I cannot accept that the importers are satisfied, I would dispute that, but, however, can the Minister say what reasons have been given by the EEC authorities who gave the directives to restrict the importation, what reasons were given by the EEC to impose those restrictions?

HON J B PEREZ:

Mr Speaker, I can see quite clearly that the Hon Member is not fully aware of what the situation is, I say it seriously. We in Gibraltar use the list, the official certificate because due to our size and due to our limited resources we use the list of approved abattoirs which is used by the United Kingdom, that is, the Ministry of Agriculture, Fisheries and Food.

MR SPEAKER:

You have been asked a simple question. Has the EEC given any reason for the purposes of restricting importation from the US?

HON J B PEREZ:

It is not the EEC. The EEC does not give directives as far as particular countries are concerned. The result of the EEC directive was Imported Food Regulations and we have to use the approved abattoirs, the official certificates approved by the United Kingdom so it is not a question of the EEC. To take the matter further I can inform the House, Mr Speaker, that the Environmental Health Department wrote to the Ministry of Agriculture in the United States and I quote from part of the letter in which they said that: "The number of poultry plants approved for export to the United Kingdom is rather small. This is due to enforcement last year of an EEC directive containing specific requirements for chilling of poultry carcasses before freezing". In other words, if the United Kingdom, if they have, let us say, twenty-one approved abattoirs, those abattoirs we accept in Gibraltar as approved so the importers can import from those twenty-one.

MR SPEAKER:

The difficulties that have arisen are due to the fact that due to EEC regulations they can only import from authorised exporters and the authorised exporters in the United States have been limited by the requirements of the EEC regulations.

HON J B PEREZ:

And, of course, Mr Speaker, it depends on the other person in the United States whether they wish to export or not because if they cannot be bothered then they won't apply.

HON G T RESTANO:

The list, Mr Speaker, published by the Ministry of Agriculture, Fisheries and Food which the Minister has referred to of course refers to approved poultry exporters but bar one there is none of those which is an exporter of chicken parts, they are exporters of other types of poultry, not chicken parts. I believe, and I would ask the Minister to confirm whether this is so or not, that the reason why there has not been approved exporters of chicken parts for the United States is because there is a protection required for EEC producers who are already producing

MR SPEAKER:

We must not get involved in question time, with due respect, we must not otherwise we are debating the reasons why the EEC are doing things. We must not go beyond that because that is not information which the Minister can give you. It is not within his knowledge as to why the EEC has done things otherwise we are going to get bogged down.

HON G T RESTANO:

Mr Speaker, what happens is that by following these regulations we are stopping the business of people who may have been importing from the United States for 25 years and pushing up the price of the article.

MR SPEAKER:

The reason why Gibraltar is doing it is because it gets directives from the EEC. Whether the directives are correct or not is another matter and we must not debate that.

HON G T RESTANO:

May I ask, would the Government reconsider its position and allow the importation of chicken parts from the United States provided, of course, that those importations are accompanied by the certificate of the United States Agriculture Department?

HON. J B PEREZ:

Mr Speaker, I would reiterate the answer that I gave to the particular question and if it comes from an approved abattoir in the United States, yes. If it is not an approved abattoir in the United States, no, Mr Speaker.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Mr Speaker, will Government state whether the post of Director of Medical and Health Services has been advertised?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES

No, Sir. It is proposed to do so within the next fortnight.

SUPPLEMENTARY TO QUESTION NO. 24 OF 1982

HON G T RESTANO:

Mr Speaker, may I ask why it has not been advertised because in October the Minister in reply to a question by the Hon Leader of the Opposition said that it would be advertised in late December or early January? Why has there been this substantial delay?

HON J B PEREZ:

Mr Speaker, the vacancy has not been advertised earlier because the Government has been awaiting a report on the review of the senior grades which will determine the new salary of the post. However, the report has only recently been received and has still to be discussed with the Staff Side and subsequently considered by the Government. It has accordingly been decided to advertise the post on its present basis drawing attention to the fact that the salary is under review.

HON G T RESTANO:

Mr Speaker, will the post itself still be vacated in June, 1982?

HON J B PEREZ:

Yes, Mr Speaker.

MR SPEAKER:

Next question.

NO. 25 OF 1982

ORAL

THE HON G T RESTANO

Will Government confirm that many modern drugs can be dispensed by chemists without a doctor's prescription and if so would Government take immediate steps to alter current legislation in order to make it statutory that a doctor's prescription is mandatory before any such drugs can be dispensed?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES

Sir, I can confirm that the scope of present legislation in this field is somewhat limited and steps have already been taken to produce comprehensive regulations setting out in detail which medicinal products can be sold only on the production of a doctor's prescription. Similarly, regulations are also in the process of being drawn up indicating which medicinal products can be freely sold other than by means of a doctor's prescription.

SUPPLEMENTARY TO QUESTION NO. 25 OF 1982

HON G T RESTANO:

When will this legislation be brought before this House, Mr Speaker?

HON J B PEREZ:

As soon as possible, Mr Speaker.

HON G T RESTANO:

Surely, are we expecting it in the very near future or could it be in a year's time?

HON J B PEREZ:

In the very, very near future.

MR SPEAKER:

Next question.

NO. 26 OF 1982

ORAL

THE HON G T RESTANO

Will Government state whether it will continue to purchase oxygen for the Hospital from its present suppliers?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES

If by suppliers the Hon Questioner means the local agents the answer is yes, Sir.

SUPPLEMENTARY TO QUESTION NO. 26 OF 1982

HON G T RESTANO:

Mr Speaker, there is no truth in the rumours that have

MR SPEAKER:

Let us not ask the Government to deny rumours.

HON G T RESTANO:

Has the Government received any offers for the supply of oxygen from sources other than its present source?

HON J B PEREZ:

Mr Speaker, we have been approached by our present suppliers with proposals for the supply of oxygen from other sources but no commitments have been discussed. Spain was mentioned as a possible source and the suppliers were told that any proposals they might wish to put forward should be put in writing for consideration by the Government. Tender procedures would be applied if more than one local agent were to propose such a source of supply. In other words, the approach was made by our agents themselves.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Will Government state how many patients were seen by the ENT Specialist broken down into GPMS and private patients during his last two visits?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES

Sir, the following figures provide the information sought by the Hon Member:

	<u>GPMS</u>	<u>PRIVATE</u>
November 1981	43	11
February 1982	50	18

It should be noted that no private patient is seen to the detriment of GPMS patients.

THE HON G T RESTANO

Will the Minister for Municipal Services 1) give a full explanation as to why the trailer-mounted generator and one of the skid-mounted generator were unable to be used on the 10th February when power cuts were experienced 2) give a detailed account of the hire agreement, and 3) specify the expenses incurred by the breakdown of these two sets?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, Sir, the trailer-mounted generator was out of service because of a cracked injector nozzle and one of the skid-mounted generators had developed a fault on a bearing on the cooling-fan drive shaft.

The hire agreement is based on the standard agreement for plant hire formulated by the Contractors Plant Association.

No charges have been received for the cost of the injector nozzle or in connection with the visit of the owner's representative, but the replacement bearing will cost approximately £250. Local labour costs amounted to approximately £785 in the case of the skid-mounted generator and about £260 for the trailer-mounted set.

SUPPLEMENTARY TO QUESTION NO. 28 OF 1982

HON G T RESTANO:

Mr Speaker, are these sets not under guarantee if they are on hire, and were we not told when these sets were hired that all maintenance would be taken care of by the people who hired the sets?

HON DR R G VALARINO:

Mr Speaker, Sir, the Member has a relatively short memory. The set which is under guarantee is the trailer-mounted set at Reclamation Road. On this one I can guarantee him that no charges at all will be received for the cost of the injector nozzle or in connection with the visit of the owners' representative in order to put this right, Sir. The other sets have gone past their guarantee period.

HON G T RESTANO:

I recollect quite clearly, Mr Speaker, when the four skid-mounted generator sets were received in Gibraltar, I believe it was the Financial and Development Secretary saying that one of the reasons why hiring rather than purchasing had been decided upon was that all maintenance, all repairs would be carried out and paid for by the people who hired the sets out, is this not true?

HON DR R G VALARINO:

Mr Speaker, if I remember correctly, what the Hon Member said was that any major faults occurring in this machine, and if I remember rightly the time was one year, would be dealt by the manufacturers but subsequent to this it is up to the Electricity Department to put whatever is wrong in its proper condition.

HON G T RESTANO:

Mr Speaker, so therefore the cost up to now is in the region of £1,200, is that correct? Has the Government paid more for other breakdowns or have these been the only two breakdowns since the receipt of the sets?

HON DR R G VALARINO:

Mr Speaker, I would be grateful if the Hon Member would classify these as sets or the trailer-mounted set.

HON G T RESTANO:

I have said sets in the plural, all of them.

HON DR R G VALARINO:

This is a very difficult question to answer, Sir, and I require due notice of this question.

HON G T RESTANO:

Have there been breakdowns in any of the sets prior to the breakdown in February?

HON DR R G VALARINO:

Mr Speaker, Sir, if I refer to my letter which I sent to the Hon Member, paragraph 6, dated the 18th February, says: "Whereas you are correct in stating that these machines are virtually new, you do not seem to appreciate the fact that all equipment, in particular mechanical plant however new, is subject to the occasional breakdown which can be of minor importance and dictates the time needed to restore to good working order".

HON G T RESTANO:

Mr Speaker, that has nothing to do with the question which I put. The question which I put was, have there been breakdowns before February 10th?

HON DR R G VALARINO:

Mr Speaker, it is obvious that breakdowns do occur because we are having technical machinery there but as to what type of breakdown and how much it has cost Government that is very difficult for me to answer this question at this very time.

HON G T RESTANO:

I think it is necessary that we should know that, Mr Speaker, because after all Government is paying a substantial hire charge.

MR SPEAKER:

He does not know, he has not got the information.

HON G T RESTANO:

If he does not know, surely, he has advisers who in fact are sitting in this House and who could give him the information.

MR SPEAKER:

The answer you have been given is: "I require notice, I have not got the information with me", it is as simple as that.

HON W T SCOTT:

Mr Speaker, may I ask the Hon Member. I think this morning we have had possibly some new light shed on the agreement and I share the comments of my Hon Colleague because we were lead to believe that any spares required by the skid generators at any time during the hiring period would be made at cost by the company supplying the equipment.

MR SPEAKER:

May we have the question?

HON W T SCOTT:

Might I ask the Hon Member opposite, am I to understand that if and when the hiring period is completed, if those machines are not up to the standard because they require certain spares and so on and so forth although the Gibraltar Government might not require the skid generators any further, that they have to be made good using public money?

HON DR R G VALARINO:

Mr Speaker, Sir, let me say that before the generators can be sent back to the United Kingdom they have to be in good working order. On this one, I would add for the benefit of the Hon Gentleman opposite that this is the first breakdown in one of the skid generators.

HON W T SCOTT:

Mr Speaker, I do not think the question has been answered.

MR SPEAKER:

You have been given an answer, you have been told that before they can return the machines they have got to make sure that they are in working order.

HON W T SCOTT:

At public expense?

MR SPEAKER:

I would imagine.

NO. 29 OF 1982

ORAL

THE HON G T RESTANO

Will Government explain why so many fumes are emitted by the trailer-mounted generator?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, Sir, the fumes emitted by the trailer-mounted generator are not considered abnormal for an engine developing 1800 kW's at 1500 rpm.

This type of engine relies on supercharging for efficient full combustion of the fuel. The supercharges are in turn driven by the exhaust gases of combustion. On starting up the engine these supercharges are at rest and take approximately 1 to 2 minutes to pick up their full speed. This means that during this period full combustion is somewhat impaired with the consequent high level of visible fumes emanating through the exhaust stacks.

SUPPLEMENTARY TO QUESTION NO. 29 OF 1982

HON G T RESTANO:

Mr Speaker, I take the point that perhaps it is not unusual for that many fumes to be emitted by generators of this type but normally these are channelled through a chimney or something so that the fumes are emitted at a higher level but, of course, the fumes from this generator come up into the atmosphere at a much lower level and of course it does I suppose harm

MR SPEAKER:

But what is the question, we are beginning to debate the matter.

HON G T RESTANO:

Mr Speaker, would the Government consider doing something so that the fumes are emitted higher up in the atmosphere?

HON DR R G VALARINO:

Mr Speaker, Sir, this set has been leased for a relatively short period. What the Hon Member is talking about would cost a great deal of money and I am afraid it is just not on to do as the Hon Member suggests.

HON G T RESTANO:

Would the Government not agree that it was badly placed in the first place?

MR SPEAKER:

Next question.

THE HON G T RESTANO

Will Government give the current total expenditure incurred in the hire of the four skid-mounted and the trailer-mounted generators broken down into hire, installation costs, maintenance, repairs, spares and the proportion of wages?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

The total expenditure incurred to date on the four skid-mounted generators and the trailer-mounted generator is £292,657.89 and £98,730.70 respectively. These totals are broken down as shown in the tables I am circulating.

We are not able to extract the exact maintenance labour cost for this plant from our general labour votes, but it is estimated that this could be of the order of £9,000 and accounts for maintenance and servicing, involving Lub oil charges, cleaning of radiators, replacement of filters, etc.

SUPPLEMENTARY TO QUESTION NO. 30 OF 1982

HON G T RESTANO:

Mr Speaker, I will have to look into these charges, I am not going to ask any questions now straight away but of course I will once I have digested these figures.

HON W T SCOTT:

Mr Speaker, to what period do the hire charges go up to?

HON DR R G VALARINO:

The period is up to the 31st March, 1982, Sir.

HON P J ISOLA:

Am I right then in thinking that the Government not only pays for the hire charges but is also bound to pay the whole charges relating to costs so that even hotel expenses were paid by the Government, is that the position?

HON DR R G VALARINO:

Mr Speaker, the hotel expenses referred to in the explanation given on the trailer-mounted set are for the commissioning of the set itself.

MR SPEAKER:

Next question.

THE HON G T RESTANO

When will the engines at King's Bastion South be completely phased out and what are Government's plans for that site in the short and long term?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, the engines at King's Bastion South are expected to be phased out once the Waterport Power Station is commissioned. In the short term the site has to be retained since it is technically and economically impractical to transfer all the control and auxiliary equipment elsewhere. No decision can as yet be made on the longer term use.

SUPPLEMENTARY TO QUESTION NO. 31 OF 1982

HON G T RESTANO:

Mr Speaker, will the Minister say why it is essential that the ancillary stores and so on be kept at King's Bastion South?

HON DR R G VALARINO:

Yes, Mr Speaker. The answer is because there is no other space available to house the above within any other section in King's Bastion but were space available the lowest estimate shows it would cost at least £700,000 to reprovide the above.

HON G T RESTANO:

What proportion of King's Bastion South is required, Mr Speaker, for these ancillary services?

HON DR R G VALARINO:

This is difficult to say. The proportion of King's Bastion South, and I believe the Hon Member visited King's Bastion South many years ago, but the proportion is King's Bastion South except for the engine base but these include the control and ancillary equipment including the battery room, oil testing laboratory, transformer base, main control room, auxiliary and earthing switchboards, switch-gear room, fuel tank, fresh water storage tank, sea water intake wells and pump house, workmen's ablutions and some storage space.

HON G T RESTANO:

Mr Speaker, is it not correct to say that those are there at the moment?

HON DR R G VALARINO:

That is right.

HON G T RESTANO:

What is going to be done with the area which at the moment houses the older engines?

MR SPEAKER:

I think it has been answered. No decision has yet been made on the longer term use.

HON DR R G VALARINO:

That is right, Sir, I have answered the question.

HON G T RESTANO:

I mean in the short term.

MR SPEAKER:

Let us go on to the next question.

NO. 32 OF 1982

ORAL

THE HON G T RESTANO

Will Government state how many meetings have taken place of the Joint Consultative Committee of the Electricity Department?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, two meetings of the Joint Consultative Council and seven meetings of the Standing Sub-Committee have been held.

THE HON G T RESTANO

When will the new Waterport Power Station begin to function and will Government state its intentions as to how the administration of the two Power Stations is to be effected?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, no firm date can as yet be given for the commissioning of Waterport Power Station but the contractually agreed key dates are:

12 May, 1982, for commissioning No. 1 set
19 June, 1982, for commissioning No. 2 set

The administration of both stations will obviously fall on the Electricity Department but no details of the proposed staff complement and other operational information can be announced until after the representative unions are consulted on these points.

SUPPLEMENTARY TO QUESTION NO. 33 OF 1982

HON G T RESTANO:

But is it intended, Mr Speaker, that the central administration should be at the new station or at the old station?

HON DR R G VALARINO:

Mr Speaker, Sir, the central administration will continue at the old station, at King's Bastion.

HON G T RESTANO:

And will the staff itself, Mr Speaker, be interchangeable from one station to the other or will there be a permanent staff in one station and a permanent staff in the other station?

HON DR R G VALARINO:

Mr Speaker, Sir, I am not prepared to answer that question until the representative unions are consulted on these points.

HON G T RESTANO:

When is that likely to be, Mr Speaker, because after all we are coming rapidly to the 12th May?

HON DR R G VALARINO:

Mr Speaker, Sir, it is intended that the representative unions will be consulted as shortly as possible.

HON P J ISOLA:

Mr Speaker, does the Government know what it wants itself? Apart from what the unions may decide does Government know what its plans are? Are they firm as far as the Government is concerned?

HON DR R G VALARINO:

Mr Speaker, Sir, we certainly do have ideas but this is a free society and the unions have got to be consulted and its views sought and I think that answers the question adequately, Sir.

HON P J ISOLA:

It does not, Mr Speaker. I am not asking if the Government have ideas of how they are going to run the station, one would have hoped they would having regard to the fact they are going to open in May. What I am asking the Minister has nothing to do with the free society aspect he referred to, what I am asking him is does the Government have plans as to how they would wish to run the service subject to whatever the unions may decide?

HON DR R G VALARINO:

Mr Speaker, yes, Sir.

HON J BOSSANO:

Could I just ask the Minister to confirm that it is in fact the Government's policy to try and achieve a method of operating the new station which will be mutually acceptable to both its employees and to the requirements of the management, that that is the policy to which the Government will be working?

HON DR R G VALARINO:

Mr Speaker, Sir, I welcome the intervention of Mr Bossano

MR SPEAKER:

Is the answer yes or no?

HON DR R G VALARINO:

The answer is yes, Sir.

HON P J ISOLA:

Mr Speaker, we all welcome that sort of answer but is it likely to achieve any saving for the person who pays for electricity or are the charges likely to go up?

MR SPEAKER:

Next question.

THE HON G T RESTANO

How many applicants for new telephone connections are there currently?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, Sir, there are at present 414 applicants for new telephone connections at the end of February, 1982.

SUPPLEMENTARY TO QUESTION NO. 34 OF 1982

HON G T RESTANO:

At what rate are they being installed, Mr Speaker?

HON DR R G VALARINO:

Mr Speaker, Sir, I could not say at what rate they are being installed but 496 telephones have been installed in the last year, 1st March to the 28th February, also 239 external removals. This compares to 476 and 242 external removals in 1980/81 so we are improving all the time. In the next financial year we expect to instal about 500 telephones.

HON G T RESTANO:

Mr Speaker, when can the 414th applicant, the last applicant, expect to have his telephone connected?

MR SPEAKER:

During the year, he has said so.

THE HON G T RESTANO

Will Government state how many of the telephone old type lead cables remain?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, there are still twenty old type lead main cables in the Telephone Network. This represents nearly 20% of the total number of cable capacity.

Next year will be the fourth year of the Cable Replacement Programme when it is expected that ten main cables will be replaced.

SUPPLEMENTARY TO QUESTION NO. 35 OF 1982

HON G T RESTANO:

Mr Speaker, why then have we had such breakdowns in telephones last winter?

HON DR R G VALARINO:

Mr Speaker, unfortunately due to the severe, heavy and prolonged rains, the old cables remaining gave us a great deal of trouble and this accounted for most of the faults. The other thing, I would like to mention, was the extremely high wind that in many areas played havoc with the external wiring and distribution boxes.

HON G T RESTANO:

Mr Speaker, are any difficulties being encountered by rodents attacking the new cables?

HON DR R G VALARINO:

Mr Speaker, rodents have as yet not developed a liking to the new cables.

THE HON G T RESTANO

When will the new Telephone Directory be published and what revenue will accrue from advertising therein?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, the new Telephone Directory will be published around the first week September which is prior to the introduction of international direct dialling. Revenue accruing from advertising in the Directory has been increased and will be of the order of £6,000 per annum.

NO. 37 OF 1982

ORAL

THE HON G T RESTANO

Will Government state when the remaining four digit telephone numbers are to be replaced by five digit numbers?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, the replacement of the remaining four digit telephone numbers by five digit numbers will be effected in conjunction with the introduction of international direct dialling.

SUPPLEMENTARY TO QUESTION NO. 37 OF 1982

HON G T RESTANO:

I know that that is a subsequent question, Mr Speaker, but will the Government state when is this going to be exactly, is it going to be, this year or next year?

HON DR R G VALARINO:

Mr Speaker, Sir, if the Hon Member could refer to the next question which he has down for answer maybe he will be able to get the answer.

HON P J ISOLA:

I presume the new Telephone Directory will have the new numbers, whether the new numbers have been put into effect or not.

NO. 38 OF 1982

ORAL

THE HON G T RESTANO

Will Government state what is now the deadline for the introduction of International Direct Dialling and will it furthermore state whether meters are to be installed and what charges are to be made if any?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, Sir, it is anticipated that the introduction of IDD will take place on the 1st October, 1982, an improvement of three months over the original provisional date.

As previously stated in the House, local metering will start as from that date. The system of charging will be given to the House at Budget time as stated in April, 1981.

SUPPLEMENTARY TO QUESTION NO. 38 OF 1982

HON G T RESTANO:

Is it then the intention to charge for all local calls?

MR SPEAKER:

I think that has been said in the House many times.

HON DR R G VALARINO:

Mr Speaker, Sir, I have said and I will reiterate that the system of charging will be given to the House at Budget time as stated previously by me and therefore there are no further comments I would like to add on this matter.

MR SPEAKER:

Next question.

NO. 39 OF 1982

ORAL

THE HON J BOSSANO

Mr Speaker, who besides Gibraltarians, are today entitled to claim supplementary benefits?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Mr Speaker, under the administrative scheme of supplementary benefits, eligibility to such benefits is restricted to Gibraltarians and to non-Gibraltarian British Subjects who have resided in Gibraltar continuously for not less than three years prior to the date of application.

SUPPLEMENTARY TO QUESTION NO. 39 OF 1982

HON J BOSSANO:

Mr Speaker, the position then is that EEC Nationals cannot claim this right, is that the case, there is no statutory right which can be claimed by EEC Nationals?

HON MAJOR F J DELLIPIANI:

The answer is quite plain. I have said it is restricted to Gibraltarians and to non-Gibraltarian British Subjects who have resided in Gibraltar continuously for not less than three years prior to the date of application.

HON J BOSSANO:

Is there any requirement that non-Gibraltarian British Subjects should have actually been in employment in Gibraltar or is it just a question of residence?

HON MAJOR F J DELLIPIANI:

Who have resided in Gibraltar continuously for not less than three years prior to the date of application, nothing else except that.

HON J BOSSANO:

I accept that, Mr Speaker, but the fact that some additional information is omitted from the answer does not mean necessarily from my previous experience in the House that it does not exist. I would ask the Hon Member whether in view of the fact that we have heard in answers to other questions that certain rights today associated with residence in Gibraltar could be extended to British Subjects residing in the neighbouring area after the opening of the frontier, can he tell me whether the Government has any intention to apply the same criteria in respect of claims for supplementary benefits?

HON MAJOR F J DELLIPIANI:

That has nothing to do with the question, Mr Speaker, and I will not answer.

HON J BOSSANO:

Mr Speaker, I accept the Hon Member may not answer because he does not want to but I cannot accept that it has nothing to do with the question. The position is the Government is not in a position to give me an answer now or is not willing to give me an answer now?

MR SPEAKER:

Next question.

THE HON J BOSSANO

Will persons employed in Gibraltar and residing in Spain be entitled to family allowances in respect of their second and subsequent children?

ANSWERTHE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Mr Speaker, as the law stands, Gibraltarians living in the Campo Area of Spain and working in Gibraltar are entitled to family allowance.

Where non-Gibraltarians are concerned, family allowance is payable only if the family is living in Gibraltar and subject to satisfying the appropriate residence condition of at least 2 years' residence in Gibraltar out of the preceding 3 years.

SUPPLEMENTARY TO QUESTION NO. 40 OF 1982

HON J BOSSANO:

Mr Speaker, will this continue to be the position on the 21st April?

HON MAJOR F J DELLIPIANI:

I do not know, Mr Speaker.

HON J BOSSANO:

Mr Speaker, would a change from this position require a change in legislation?

HON MAJOR F J DELLIPIANI:

Probably, Mr Speaker.

HON J BOSSANO:

Does the Minister propose to bring any legislation between now and the 20th April to the House?

HON MAJOR F J DELLIPIANI:

I think that is my privilege and I will say it when the time comes, if I have to or if I do not have to.

HON J BOSSANO:

Would the Minister agree with me that an important consideration to bear in mind in respect of any alteration applicable to non-Gibraltarians whose families reside outside Gibraltar is the position of the Moroccan workers in Gibraltar who have been attempting unsuccessfully to obtain this right in the last twelve years, would he agree with me that that is an important consideration to be borne in mind?

HON MAJOR F J DELLIPIANI:

I agree.

MR SPEAKER:

Next question.

NO. 41 OF 1982

ORAL

THE HON J BOSSANO

Is residence in Gibraltar a necessary condition for (a) registering with Department of Labour seeking employment, and (b) receipt of unemployment benefit?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

(a) Mr Speaker, in accordance with the Control of Employment Ordinance, section 4, any person may request that his name be placed on the register of persons seeking employment, and he is deemed to be able and willing to take other employment for so long as he continues to maintain registration by attendance at the Central Employment Exchange on such days of the week as the Director of Labour and Social Security may require. Residence in Gibraltar is not a necessary condition. However, Regulations lay down the particulars which must be furnished by an applicant, and these include the number of his identity card which in effect means that only persons who are residing in, or have already been working in Gibraltar, may register. Under the 'free movement of labour' provisions of the EEC, Community Nationals have a right to seek employment in Gibraltar.

(b) Residence in Gibraltar is not a condition for entitlement to unemployment benefit, which is subject to satisfying the necessary contribution conditions. Actual payment of the benefit is subject to the applicant proving, by reporting regularly at the Central Employment Exchange, that he is unemployed, capable for work and available for employment.

SUPPLEMENTARY TO QUESTION NO. 41 OF 1982

HON J BOSSANO:

Mr Speaker, in the case of registration with the Department would the Hon Member not agree with me that there appears to be at least an inconsistency between that requirement and the practice mentioned in answer to a previous question of requiring people to submit applications for employment permits by returning to their country of origin?

HON MAJOR F J DELLIPIANI:

Mr Speaker, would the Hon Member repeat that question.

HON J BOSSANO:

Would the Hon Member not agree with me that there appears to be an inconsistency, to put it at no greater than that, between the position that a person may register as unemployed in Gibraltar notwithstanding the fact that he is not residing in Gibraltar simply

by virtue of the fact that he has worked at some previous time in his life and has therefore got an ID number and the requirement on the other hand that a person cannot seek employment in Gibraltar but has in fact to return to his country of origin if he is physically here in order to make the request of an employment permit which came to light in answer to a previous question tabled today, Mr Speaker?

HON MAJOR F J DELLIPIANI:

If there is an inconsistency, I shall look into it.

HON J BOSSANO:

I am asking whether he agrees that there is.

HON MAJOR F J DELLIPIANI:

I do not think so.

HON J BOSSANO:

Mr Speaker, I have been floored by the answer. On the question of the receipt of unemployment benefit, Mr Speaker, the Hon Member said that residential qualifications were not required, simply contributory qualifications. Can he, in fact, say whether contributions to Social Insurance in other EEC countries can be used as the basis for meeting the contribution conditions and claiming unemployment benefit in Gibraltar?

HON MAJOR F J DELLIPIANI:

Yes, that can happen, it is happening in fact with the UK people coming to Gibraltar. What I am saying is that for the unemployment benefits you do not have to be physically in Gibraltar every day to claim it, what I am saying is that you have got to make yourself available when the Director requires you to attend the centre to report that you are unemployed and collect your dues.

HON J BOSSANO:

Mr Speaker, perhaps if you will permit me to give a hypothetical example, I am not going to ask the Minister to give me answers to hypothetical questions but as an illustration, if I may be permitted to do so. Would this imply, Mr Speaker that, for example, a United Kingdom National having paid insurance contributions in the United Kingdom and residing in the neighbouring territory, could come in and register in Gibraltar as seeking employment and draw unemployment benefit, is that the implication of the answer I have had from the Minister?

HON MAJOR F J DELLIPIANI:

The implication so far, Mr Speaker, is when he comes and lives in Gibraltar, the implication so far is when he is in Gibraltar.

HON J BOSSANO:

Mr Speaker, with due respect, the Hon Member has said that he does not have to live in Gibraltar, he said there is no residential qualification, that the only qualification required is a contributory qualification and that in respect of that contributory qualification the EEC National, for example, the United Kingdom National, can meet the contribution conditions by virtue of contributions he has made in the United Kingdom by working there. The position today is that a United Kingdom National having become unemployed in the

MR SPEAKER:

I think in fairness to the Minister we are getting slightly involved and I do not want to get involved myself but if he is not residing in Gibraltar then perhaps his entitlement should be from the United Kingdom and not in Gibraltar. I think we are complicating the issue.

HON J BOSSANO:

With due respect, Mr Speaker, there is nothing complicated about it. Today a United Kingdom National can arrive in Gibraltar having been unemployed in the United Kingdom, register and collect unemployment benefit but he is residing in Gibraltar. I am saying to the Minister if there is no residential qualification, what is stopping a United Kingdom National or thousands of United Kingdom Nationals arriving in the Costa del Sol after the 20th April having paid contributions in the United Kingdom, coming here and registering and drawing unemployment benefit. Is there anything to stop that, that is what I am asking him?

HON MAJOR F J DELLIPIANI:

There is nothing to stop him registering, what we might be stopping is his getting the money.

HON J BOSSANO:

Mr Speaker, what is there to stop him getting the money if the Hon Member has told me that he does not have to reside in Gibraltar and that he does not have to have contributed in Gibraltar?

MR SPEAKER:

I think in fairness again to the Minister, that is insofar as local legislation is concerned insofar as the benefits received. What entitles a person through the EEC regulations to claim a benefit

from another country must be looked at in accordance with the EEC Regulations and not Gibraltar regulations. I think he has given you the answer insofar as the Gibraltar law is concerned. I am saying this because we must not get bogged down.

HON J BOSSANO:

I am not trying to get bogged down, Mr Speaker, I am trying to get information, with all due respect to the Chair. The last thing I want to do is to get bogged down, I want a straight answer. I am saying, is the position legally in Gibraltar today that a person can draw unemployment benefit by virtue of the contributions he has made in the United Kingdom and arrives here and he is unemployed here, is that the position or not?

HON MAJOR F J DELLIPIANI:

That is the position.

HON J BOSSANO:

Is it true that there is no residential requirement and that therefore the position with an open frontier is that that same person could move out of Gibraltar into the neighbouring territory and continue to draw unemployment benefit, is that the position?

HON MAJOR F J DELLIPIANI:

It is a hypothetical question.

HON J BOSSANO:

I am sorry, it is not a hypothetical question, Mr Speaker. I am saying to the Hon Member after the land frontier is opened will a person who is drawing unemployment benefit in Gibraltar cease to be able to draw it because he no longer resides in Gibraltar, yes or no?

MR SPEAKER:

If you require notice, you require notice.

HON J BOSSANO:

I have given notice.

HON MAJOR F J DELLIPIANI:

I think the whole tenor of the question has changed.

HON J BOSSANO:

I beg your pardon, I did not follow that, will the Hon Member repeat it?

HON MAJOR F J DELLIPIANI:

The tenor of the question has completely changed.

HON J BOSSANO:

It has not. Mr Speaker, with due respect, the question is, is residence a condition for the receipt of unemployment benefit? The answer to that is no, residence is not a condition, contribution is a condition. My subsequent question is, therefore, if a person resides in La Linea and has met the contribution conditions, can he draw unemployment benefit, yes or no?

HON MAJOR F J DELLIPIANI:

I require notice, Mr Speaker.

HON J BOSSANO:

With all due respect, Mr Speaker, I have given notice.

HON CHIEF MINISTER:

Mr Speaker, may I interrupt, it may be completely out of order. We seem to be getting into the same situation we got when we were considering the European Community Ordinance that it looked as if come the date for the entry into Europe the whole of Europe was descending on Gibraltar to obtain employment. The world is not going to change on the 20th April all that much, I would imagine. Certainly there are dangers in some of the legislation here but we must look into if they are abused or in fact if we find, technically, that they were not meant for what they are intended to be used and the Government has got a very close watch on all these aspects of the matter. Ministers at this stage can only state the facts as they find them in the law but that does not mean that the Government is not fully aware of the dangers that are indicated in this and other questions in connection with the opening of the frontier against which we must guard but it would have been futile and perhaps even dangerous, if I may say so, to anticipate all these things in view of other events. I can assure the Member and the House as a whole that these and many other possible dangers of a commuting population in the new set-up in which we are now, are very much in the minds of Ministers.

HON J BOSSANO:

Mr Speaker, I appreciate very much the concern of the Government in this respect but I am trying to get factual information provided by the Government so that I can then decide how concerned I should be.

MR SPEAKER:

May I suggest that perhaps the Minister may wish to give some consideration to the question that has been put and bring an answer at a later stage this afternoon. We are not going to get any further.

HON CHIEF MINISTER:

What we cannot do is prejudge or foresee every possible situation arising out of a state of affairs which has existed for a number of years and maybe as we go along we shall have to go on correcting these matters.

MR SPEAKER:

In fairness to the questioner he has asked a specific question.

HON CHIEF MINISTER:

I know he has asked a specific question but the answer is it is very dangerous to reply.

HON J BOSSANO:

Then let me be given that answer, Mr Speaker.

HON CHIEF MINISTER:

Because we can give the wrong impression and the wrong answer.

HON J BOSSANO:

Mr Speaker, with all due respect to the Hon Member, I am not trying to either trap or embarrass the Minister, I am trying to get a factual answer to a factual question, nor am I saying that I know any more than the Government does whether there will be one person, no people or thousands but I am saying irrespective of the number, irrespective of the impact, what is the actual legal position? That I wish to be given an answer on by the Government and that I have been given notice of in my question. I want to know whether a residential qualification is necessary, I have had an answer that it is not necessary. I therefore want to know whether this implies that a person can live in Spain and draw unemployment benefit in Gibraltar if he has met the necessary contribution conditions, yes or no, I want an answer to that. Additionally to that I want to know whether that contribution condition can be met as it is today, for example, as a result of contributions made in the United Kingdom. If the Hon Member is not in a position to give me an answer now because he did not anticipate this, then I would welcome that he gives it to me as soon as he can.

HON MAJOR F J DELLIPIANI:

Yes, I will.

NO. 42 OF 1982

ORAL

THE HON J BOSSANO

Will Spanish Nationals who have been unable to collect their Social Insurance pensions because of the closed frontier now be able to do so retrospectively?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Mr Speaker, the right to any sum payable by way of benefit is extinguished if payment is not obtained within the period of 52 weeks following the date on which the payment becomes due. This is laid down in the Social Insurance (Claims and Payments) Regulations. 52 weeks' pension is therefore the maximum that can be paid retrospectively to social insurance pensioners in the Campo when they come to Gibraltar.

SUPPLEMENTARY TO QUESTION NO. 42 OF 1982

HON J BOSSANO:

Mr Speaker, is this a matter that is subject to review or is the position of the Government that this is the law and this is all that people are entitled to?

HON MAJOR F J DELLIPIANI:

This is how the matter stands at the moment.

HON J BOSSANO:

The answer that I have had does not imply that that is necessarily what will happen, am I right in thinking that or am I wrong in thinking that?

HON MAJOR F J DELLIPIANI:

You can think what you like, Mr Bossano, it is your privilege. What I am telling you is what the situation is now.

HON J BOSSANO:

I accept the Hon Member has told me what the situation is now and my question is, what is going to happen? What I want to know is whether the answer he has given me, what he is telling me is that that is what is going to happen, that they will only be able to collect 52 weeks or he is telling me that that is the legal position but that he does not necessarily imply that a different arrangement will not be made. Does it imply one thing or does it not imply it?

HON CHIEF MINISTER:

Mr Speaker, again that is a matter of much wider policy. The Minister must administer the law as he finds it and has given the answer like that. There is no doubt, and this has been mentioned here many times, that this matter will be raised by the Spaniards at the Sintra Talks or wherever the talks take place next time, I do not know at what stage, but it is obviously one of the matters that will be raised. We know we have to consider this matter.

HON J BOSSANO:

I am aware of that, Mr Speaker. I know the position of the Spaniards, it is the position of the Government of Gibraltar I am trying to elicit. Is the Government's position that this is the law and this is what they are entitled to or is the Government's position that they have got an open mind on the situation?

HON CHIEF MINISTER:

No, Mr Speaker, we have not got an open mind on that, if we had to describe it we would describe it the other way but we have a reality that we shall have to meet problems like this in the near future and we shall look at any case which is presented with care in the best interests of the people of Gibraltar.

HON J BOSSANO:

Is it not the case, Mr Speaker, if my memory does not deceive me, that the Hon Minister for Economic Development in his previous role as Minister for Labour and Social Security, informed the House, I think it was a couple of years ago, that the position of the Government of Gibraltar was that the legal entitlement was what would be provided and that if funds had to be found over and above that, it would be up to the British Government to provide that money. Will the Government confirm that this was the statement made in fact when the Hon Member was responsible for Government policy in that area and if my memory is right, can they say whether this continues to be the policy?

HON A J CANEPA:

Mr Speaker, the view that was taken in the Labour Department which, naturally, I shared and still share, is that if it fell to the fund to meet the possible settlement of this issue, if the fund is not likely to be in a position to withstand that commitment neither would the Gibraltar taxpayer be in a position to do so and therefore the price of such a settlement would be beyond our reach. I think the phrase that I used was: "Somebody else will have to pick up the bill".

HON J BOSSANO:

I can take it, Mr Speaker, that that continues to be the view of the Hon Member, am I right in thinking that?

HON A J CANEPA:

That is very much the view of the Hon Member, yes.

NO. 43 OF 1982

ORAL

THE HON W T SCOTT

Sir, will Government make a statement with regard to the Industrial Training Scheme informing this House as to the number of young persons who are at present undergoing training?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Sir, six applications were received in response to Government's offer of one year's basic training in the construction trades at the Construction Industry Training Centre to youngsters who were successful in the 1981 apprentice entry examination, but for whom no vacancies of apprenticeships were available. Only four eventually took up the offer and they have been under training since 18 January, 1982.

It is proposed to pay these trainees an allowance of £2 a day as from the day they started, and to do likewise with those who may join the scheme next September. A paper is now being prepared for consideration by Ministers.

SUPPLEMENTARY TO QUESTION NO. 43 OF 1982

HON W T SCOTT:

I am very grateful, Mr Speaker, for that reply. It is sad, I think, that not enough young men or as many men as one would have expected to have taken up this opportunity although one welcomes in fact the allowance of £2 a day. Can I ask the Minister, perhaps, on the next occasion that the course starts, whether it would be advisable to advertise this to a greater extent than it was the last time, rather than in the press and so forth, the Youth and Careers Office, schools and so forth and to give it a little bit more impetus?

HON MAJOR F J DELLIPIANI:

Yes, Mr Speaker.

HON J BOSSANO:

Is the training directed to possible future employment in the construction industry?

HON MAJOR F J DELLIPIANI:

The training is directed so that employers may select these youngsters over other youngsters who have not had any experience in the construction trade because basically they are going to receive a general knowledge of all the basic trades in the construction industry and then concentrate on one.

HON J BOSSANO:

So that in fact the position today, Mr Speaker, is it not, that there are many fully qualified craftsmen unemployed already in the construction industry from which employers can select people who are already qualified craftsmen?

HON MAJOR F J DELLIPIANI:

We have some 297 males and females unemployed at the end of February but it does not necessarily mean that they are craftsmen. There might be craftsmen unemployed but there might not be in the construction industry.

HON J BOSSANO:

Is it not a fact, Mr Speaker, that during the last twelve months, and the indications for the rest of this year are the same, that the area from which there has been the main growth in unemployment has been from the construction industry?

HON MAJOR F J DELLIPIANI:

That is so but it is also in an area where the unemployment is caused by non-Gibraltarians.

HON J BOSSANO:

Mr Speaker, would the Minister not agree that in terms of the attraction of the Industrial Training Scheme the position appears to be that the Scheme is designed to give the trainee, as I understood it, an edge over the person that has not had any training in obtaining employment in the construction industry whilst at the same time the construction industry is laying off very substantial numbers and employers will have no difficulty in getting a fully trained person because they are available? Is that not the case?

HON MAJOR F J DELLIPIANI:

It might be the case, Mr Speaker, but I am not the employer.

HON J BOSSANO:

I accept the Hon Member is not the employer. The point I am trying to make, Mr Speaker, and I would like the Government to say whether they agree to the point I am trying to make, is that in terms of the attractions of the scheme, the scheme is intended to give somebody a competitive edge in obtaining employment in an area where there is already mass unemployment and where in fact the competitive edge is a purely theoretical consideration. Would they agree that this is the case or not as Government, never mind as employer, as Government?

HON MAJOR F J DELLIPIANI:

I am not an employer but if I was an employer I would be more attracted to have my own local labour force which is not influenced by the fact that they have to leave Gibraltar or live somewhere else and I have it here regularly available than any other labour force.

HON J BOSSANO:

Mr Speaker, the Hon Member said that the person leaving the training scheme who has had one year's training would stand an advantage over someone who has had no training and I am putting it to him would he not agree that in spite of the one year's training and in spite of being local the person would obviously be at a disadvantage when compared with somebody who was fully trained and could obviously undertake the full range of craft skills and the position at the moment is, and will continue to be certainly for the next twelve months from the information that must be available to the Minister, that there will be plenty of those? Is that not the case?

HON MAJOR F J DELLIPIANI:

The information I have and I enquired from the officer in charge of the Construction Training Centre of these four boys is that at the end of the training though they will not be fully qualified tradesmen, their output of work will be very great indeed because they are doing very well and they would be useful to any employer in any kind of work that they are doing.

HON W T SCOTT:

Mr Speaker, perhaps the Minister will correct me if I am wrong, but can I safely assume that that young man who having undergone a year's training might perhaps obviously not be able to occupy a position of a carpenter but might well be suited to occupy that of a carpenter's mate or a plumber's mate and so forth, something which in fact a plumber or a carpenter would not be interested in filling?

MR SPEAKER:

I am afraid that we are beginning to debate the consequences of the scheme and that I am not prepared to allow. Next question.

NO. 44 OF 1982

ORAL

THE HON W T SCOTT

Sir, has Government further considered the introduction of a Youth Opportunities Programme and if so will Government make a statement?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Sir, Government has no specific plans for such a programme, but is always looking at ways to promote the employment of youths. I should mention that between the end of December, 1981, and the end of February, 1982, the number of youths registered as seeking employment dropped from 110 to 43. In fact, the number of young persons found employment by the Youth and Careers Office and my Department during this period was 81.

SUPPLEMENTARY TO QUESTION NO. 44 OF 1982

HON W T SCOTT:

Mr Speaker, Does Government not consider it advisable to at least seriously think about this situation before the situation arises where we do have a substantial number of young people unemployed?

HON MAJOR F J DELLIPIANI:

Government is always thinking of different ways of improving the employment situation of young people in Gibraltar, it does not mean that because we have not got a specific plan that we are not thinking about plans.

HON W T SCOTT:

Mr Speaker, am I right in thinking that it was not so very long ago, in fact, I think in a memorandum submitted by the Trade Unions, that the Government has been in continuing consultation with them and in fact this is what pre-empted me in asking this particular question which appears on the paper?

HON MAJOR F J DELLIPIANI:

Sir, the question of what schemes eventually falls on the Government to decide.

HON G T RESTANO:

Mr Speaker, along what lines is Government thinking if it has not got an actual Youth Opportunities Programme and it has other plans, could the Minister give us an indication along what lines those plans go so that we know roughly what Government's intentions are?

HON MAJOR F J DELLIPIANI:

No, I am not in a position to give you any plans. What I am in the position to give you is the determination of my Department and the Youth and Careers Office to do away with unemployment of youth in Gibraltar.

MR SPEAKER:

Next question.

NO. 45 OF 1982

ORAL

THE HON W T SCOTT

Sir, will Government inform this House if it has considered extending the existing Industrial Training Scheme to cover other areas of employment to young people?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

No, Sir. However, the Industrial Training Board has been meeting in recent months with the aim of establishing areas in which there is a need to train young people so as to make Gibraltar less dependent on foreign labour. Government will, of course, consider any recommendations which the Board may submit in due course.

NO. 46 OF 1982

ORAL

THE HON J BOSSANO

Will persons employed in Gibraltar and residing in Spain be able to enrol their children in Government schools in Gibraltar?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Sir, current legislation provides for a resident qualification to be met in order for children to be eligible for admission to Government schools in Gibraltar. Any person residing in Spain, although working in Gibraltar would not, therefore, be eligible to send their children to Government schools in Gibraltar under present legislation. This is clearly a matter the Government will keep under active consideration in the light of developing circumstances.

SUPPLEMENTARY TO QUESTION NO. 46 OF 1982

HON J BOSSANO:

Could I ask the Minister whether in fact prior to the closure of the frontier Gibraltarians residing in Spain were permitted to enrol their children in Gibraltar schools?

HON MAJOR F J DELLIPIANI:

Yes, Mr Speaker, they were, but not through our Ordinance, it was done administratively.

HON J BOSSANO:

Can he say that the position is different now from what it was then? If there has been no change in legislation what is to stop anything being done administratively now?

HON MAJOR F J DELLIPIANI:

The fact is that I was not there at the time, I am now here with my regulations and I will not do anything against the regulations.

NO. 47 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government say how much the second phase of St Mary's Middle School will cost?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

The total cost of the whole project to re-model the Sacred Heart Terrace building for use by St Mary's Middle School was estimated at just under £ $\frac{1}{4}$ m in 1980. The first phase of this re-modelling project was completed in 1981 at a total cost of just over £30,000 and consequently the second phase involving the north wing and central part of the building will cost at least £200,000 at 1980 prices.

SUPPLEMENTARY TO QUESTION NO. 47 OF 1982

HON A T LODDO:

Mr Speaker, do these £200,000 include structural alterations like complete floors and ceilings?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I have not got the project cost or the plans with me at the moment but I imagine this will be so. It is a major project, £200,000 is not peanuts. I can tell you that the ODA will not fund this.

HON A T LODDO:

Mr Speaker, I accept that £200,000 is not peanuts but I am sure that £200,000 will more than cater for the toilet facilities at the school so I would expect that a substantial sum would be devoted to major structural alterations. Can the Minister say whether this is the case?

HON M K FEATHERSTONE:

Sir, there would be a certain measure of structural work done, it would be necessary to drive the corridor right through the central portion of the school, this is one of the requirements of the Fire Department in the interest of safety of the children.

HON A T LODDO:

Mr Speaker, Government is no doubt aware that I did pay a visit to this school earlier on this month and to my limited knowledge in building construction, I have a limited knowledge, I would not think that knocking down walls to make fire escapes would be in the region of £200,000. I also saw the state of the school

MR SPEAKER:

May we have a question?

HON A T LODDO:

The question is, does this involve new floors and new ceilings?

HON M K FEATHERSTONE:

It involves a substantial amount of reconstruction. Whether the new floors or new ceilings will actually have to be made all the way through is not something I would like to state at the moment. One often finds when one starts work on an old building that many things which one does not foresee afterwards have to be done but the estimate which is done by a qualified gentleman in the Public Works has been, as my colleague has said, between £200,000 and £250,000, at 1980 prices.

HON A T LODDO:

Mr Speaker, could I ask the Government when does it propose to have this second phase completed?

HON MAJOR F J DELLIPIANI:

Sir, this project will not be funded by the ODA, it will have to be financed from local resources and until such time that Government can see its way clear to making resources available, the re-costing of the second phase of the project has not been pursued since 1980.

MR SPEAKER:

Next question.

NO. 48 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government make provision in the forthcoming estimates so that adequate heating facilities are provided in St Mary's Middle School Annex next winter?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Sir, as a matter of routine all heating facilities in schools are the subject of review during the Autumn Term each year prior to the onset of colder weather during the winter. Where heating facilities are provided but are not in working order, a request is made that they be repaired; and where heating facilities have been found to be inadequate consideration is given to the possibility of improving working conditions by either replacement of existing facilities or by the provision of additional ones. This exercise applies to all schools.

THE HON A T LODDO

Mr Speaker, will the Minister for Education make a statement regarding Religious Holidays in Government schools?

ANSWERTHE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Sir, consideration has been given in the past few weeks to the need or otherwise to continue to include a number of religious feast-days as school holidays. The Department of Education felt it necessary to respond to questions which have been raised in the past two or three years as to the justification for continuing to regard certain religious feast-days as school holidays when this practice was discontinued several years ago in the United Kingdom and most other European countries. It was also pointed out in consideration of the matter that the Roman Catholic Church had authority to designate certain religious feast-days to coincide with a Sunday rather than a week-day and most European countries have now made the decision to celebrate such religious feast-days on a normal sabbath day. No changes in current practice are proposed at the present time.

NO. 50 OF 1982

ORAL

THE HON J BOSSANO

Can Government confirm that Burnham Further Education conditions of service are fully applicable to locally entered lecturers employed at the Gibraltar and Dockyard Technical College?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Sir, Burnham Further Education conditions of service are only applicable at the Gibraltar and Dockyard Technical College, and in particular to the locally entered lecturers employed at the College, insofar as they do not cut across MOD Regulations covering the management of the Gibraltar and Dockyard Technical College which is still the responsibility of Ministry of Defence. However, in the main Burnham Further Education conditions of service applying to individual appointments are applicable at the College at the present time and full Burnham Further Education provisions will be applied to the College once responsibility for the management has been transferred to Gibraltar Government.

THE HON MAJOR R J PELIZA

Can Government state if there is a specific limit in cash of the amount of National Insurance Stamps that can be bought over the counter without giving a days notice, and if so, why is this found to be necessary?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, National Insurance Stamps are not sold in Gibraltar. If, however, the Hon Member is referring to Social Insurance Stamps the answer is that purchases of Social Insurance Stamps up to the value of £75 can be obtained on demand from all counters in the main and district post offices. Purchases over £75 and up to £100 can be made on demand from the Philatelic Sales counter, on the first floor of the main Post Office. Any purchases over £100 require the giving of one day's notice.

The reasons for this are:-

- (a) to avoid delays for customers wishing to transact postal business, very often of an urgent nature, which is not the case with Insurance Stamps
- (b) the ever-increasing value of stamps which require counter officers to carry an unacceptably high stock of Insurance Stamps in order to meet demand
- (c) the stress on staff of having to handle large cash transactions over the counter under pressure which increases the probability of mistakes being made. By giving one day's notice, the orders are processed and checked thereby minimising the chances of a mistake being made.

SUPPLEMENTARY TO QUESTION NO. 51 OF 1982

HON MAJOR R J PELIZA:

Can the Minister say if the notice can be given on the phone or has the person got to go there personally?

HON H J ZAMMITT:

I understand it can be made on the phone, Mr Speaker, particularly when the company or the firm is known to the particular person.

17.3.82

NO. 52 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government ensure that Licensed Tourist Guides take some form of competence test before being so registered?

ANSWER

THE HON THE MINISTER FOR HOUSING AND SPORT

Yes, Sir.

NO. 53 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government consider giving the General Post Office facade in Main Street the same treatment as other ancient monuments have undergone within the last weeks?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government has recently started the clean up of stonework monuments such as the St Jago's Arch and the 1914/18 War Memorial at Line Wall. The latter is being carried out in joint venture by two local firms at no cost to Government, other than the actual cost of water used.

The bust of General Don that looks down on to Main Street from the main facade of this Honourable House will also shortly receive the same treatment.

It is Government's intention gradually to clean up all the stonework of public buildings such as St George's School in Line Wall Road, the main archways to King's Bastion and indeed the Victorian facade of our General Post Office.

THE HON MAJOR R J PELIZA

Will Government state if they will encourage and support the establishment of air routes between Gibraltar and key holiday resorts in Spain and Portugal?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Yes, Sir. Air routes and services on routes between Gibraltar and Spain and between Gibraltar and Portugal are governed by the Agreements on Air Services between the respective Governments. Proposals have been put to the British Government.

SUPPLEMENTARY TO QUESTION NO. 54 OF 1982

HON MAJOR R J PELIZA:

Can the Minister say if this is the first time they have put the proposals? Has it been put before and have they ever had a reply to those proposals?

HON H J ZAMMITT:

Mr Speaker, I understand that proposals were put some time ago to a particular country.

HON MAJOR R J PELIZA:

Could the Minister perhaps, if he cannot give the details now, please pass the details on to me at a later stage?

HON H J ZAMMITT:

Yes, Mr Speaker.

THE HON MAJOR R J PELIZA

Can Government state what was the Hotel Occupancy during December, 1981, and January, 1982, and how they compared with the same months in 1980 and 1981 respectively?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Sir, I regret I am unable to furnish hotel occupancy statistics for January, 1982, as some hotels have not yet submitted their returns to the Government Statistician.

However, the comparative occupancy for December 1980/81 is as follows:-

	DECEMBER	
	<u>1980</u>	<u>1981</u>
Sleeper Occupancy	19.2%	18.0%

THE HON MAJOR R J PELIZA

Has the announcement of the opening of the frontier shown any marked increase in hotel and air passage bookings for this summer season and is the necessary air transport capacity readily available to meet the possible increase in flights demand?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Sir, as far as we can judge there has been a slight increase in enquiries for hotel accommodation. There has been a marked increase in enquiries arising out of our advertising campaign coupon response activities which were under way before the frontier opening was announced. There is, however, no indication of any increase in air passage bookings.

The new situation has naturally brought in a number of enquiries, largely from excursion organisers.

British Airways planned an extra flight to meet a possible increase in capacity demand for the Summer season, before the announcement was made.

Although not entirely satisfactory, there is an increase in air seat capacity for summer.

SUPPLEMENTARY TO QUESTION NO. 56 OF 1982

HON MAJOR R J PELIZA:

So apart from the normal increase that obviously they have planned as they usually have for the summer, no plan exists to be able to cope with any increased capacity that might occur immediately after the opening of the frontier?

HON H J ZAMMITT:

Mr Speaker, our load factors which can be seen in the paper I laid earlier on in this meeting, in the Tourist Survey, our load factors on aircraft are quite good, they are running well into 90%. I assume, Mr Speaker, that if the demands are there, air carriers might like to obviously make money and therefore provide more aircraft. I assure the Hon Member that there is certainly no objection on the Government side for them not to include more flights to Gibraltar.

HON MAJOR R J PELIZA:

I am very glad to hear there is no objection on the part of the Government, I never expected that there would be, but I did expect the Government, Mr Speaker, and I hope the Minister can perhaps reconsider his answer and say the Government is not just waiting

and seeing what the operators are going to do but certainly impress upon them the need for more capacity because it is very difficult even now to get on a plane as I am sure a lot of people even in this House have experienced. I wonder whether the Minister can state whether they intend to press very hard on the airlines to increase the capacity forthwith?

HON H J ZAMMITT:

Mr Speaker, I think it is obvious that we will do our utmost to try and encourage as much seat capacity on this route as possible and I am sure that with the announcement of the opening of the frontier there will be, as a natural consequence, a further reappraisal of the Gibraltar route. However, we will do as much as we can to ensure that we can get as much we can on this route, Sir.

HON MAJOR R J PELIZA:

Mr Speaker, I certainly intend to take this up subsequently at Budget time.

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

Can Government state how many cruise liners are expected to call at Gibraltar this summer in comparison with the summers of 1979, 1980 and 1981?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Sir, I am not quite sure what the questioner means by summer but, taking the months of April to September as the summer months, 36 liners are expected to call in 1982.

45 liners called in summer 1981

51 liners called in summer 1980

48 liners called in summer 1979

SUPPLEMENTARY TO QUESTION NO. 57 OF 1982

HON MAJOR R J PELIZA:

Can the Minister explain why there has been a gradual drop and now quite a substantial one between 45 and 36 from last year to this coming year?

HON H J ZAMMITT:

I cannot say why liners do not call at Gibraltar, Mr Speaker, I can assure the Hon Member that we do advertise quite substantially in magazines that effect cruises. I can assure the Hon Member that cruise liners are quite expensive things today and possibly it is not as popular as other methods of transport.

HON MAJOR R J PELIZA:

Doesn't the Minister think that noticing that there is a drop it should be his business to enquire directly from the companies concerned why it is that they are not coming to Gibraltar and going somewhere else and if necessary find out what is wrong and try and put it right so that at least we hold the share of the market that we used to have?

HON H J ZAMMITT:

Mr Speaker, I do not think it is fair to say that we do not have the share of the market we used to have, there may be a slight decline over the months that the Hon Member has selected. I can assure the Hon Member that in the last three months we have been having liners coming to Gibraltar on a regular basis, picking up passengers and taking them round a mediterranean cruise. I do not think in all honesty that one could say that cruise liners do not come to Gibraltar for a reason. I can assure the Hon Member that the Port charges in Gibraltar are much less than they are elsewhere.

HON MAJOR R J PELIZA:

Mr Speaker, I do not think it is just Port charges that accounts for liners coming or not. Anyway, the Minister has given the impression that perhaps it is the months that I have selected that show a drop in the visitors coming to Gibraltar. I would ask him if he could give me the figures for the particular years that he quoted on subsequently and I will take it up at estimates time.

HON P J ISOLA:

Has Government received any complaints about the facilities available in Gibraltar from cruise operators?

HON H J ZAMMITT:

None at all, Mr Speaker, as far as I know.

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

Can Government state if they intend to advertise Gibraltar as a tourist resort in the 'Licensee', a widely read magazine of the National Union of Licensed Victuallers of Britain?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Yes, Sir.

SUPPLEMENTARY TO QUESTION NO. 58 OF 1982

HON MAJOR R J PELIZA:

It is intended to?

HON H J ZAMMITT:

Yes, Sir.

HON MAJOR R J PELIZA:

I am very glad to hear that because that contradicts your letter, I think.

HON H J ZAMMITT:

It does not contradict my letter, Mr Speaker. My letter said the matter was being considered and it had been considered and in fact the thing had been put to our advertising agents in the United Kingdom who evaluate, as professionals, the value of advertising in any particular magazine or not and they accepted it was a good thing to do and therefore we will do it.

HON MAJOR R J PELIZA:

I am very pleased to hear that, Mr Speaker, because usually when the Government say they are going to consider it it means they are not going to do it.

HON A T LODDO:

Mr Speaker, when will Government be advertising in the Licensee?

HON H J ZAMMITT:

That, I am afraid, I do not know, Mr Speaker. I know we are looking into it and we have agreed to do it, the actual month or period I am afraid I cannot say.

HON A T LODDO:

Mr Speaker, it obviously had nothing to do with this question, they had considered it before?

HON MAJOR R J PELIZA:

It might have to do with my letter.

HON H J ZAMMITT:

No, Mr Speaker, it had to do far before the Hon Member's letter, it goes back, I think, to early 1980 that there was talk of the Victuallers Association coming to Gibraltar on the QE II in 1984 and since that time the whole project was put before our advertising and public relations people in the United Kingdom.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Mr Speaker, is Government in agreement that Gibraltar firms should be registered in Government owned accommodation?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Sir, the Housing Department is aware that some people use the Government-owned accommodation where they reside as their registered address. The Department does not object to the practice provided that no trading activities are conducted from such premises.

SUPPLEMENTARY TO QUESTION NO. 59 OF 1982

HON G T RESTANO:

Mr Speaker, how does the Department verify whether activities are carried out in those premises?

HON H J ZAMMITT:

Mr Speaker, the only way we can verify is when we get information that somebody is, in fact, carrying out trading from a particular dwelling. If that is the case then of course either the Public Health are called in or the Licence Department are called in otherwise I am afraid there is no way we have of checking.

HON G T RESTANO:

Has there at any time been any occasion where a tenant has had it brought to his notice that he is in fact carrying out business activities from his Government accommodation? How often has this happened in the last, say, two or three years? Have there been any convictions?

HON H J ZAMMITT:

I do not think there have been any convictions as such, no. It is not a criminal offence if they want to do that, it would be a wrong doing against the tenancy agreement. Certainly in my time there have been one or two cases and no more than that and that is seven years, my time is seven years in Housing.

HON G T RESTANO:

Is the Minister then in agreement that there are so few occasions where business activities are carried out in Government accommodation that in seven years only two or three possible offences have occurred?

HON H J ZAMMITT:

Mr Speaker, what we do check is when some registration is publicised in the local press and someone is giving a registered address at a Government flat, we check it and we get our wardens to check. Invariably it is just for registration but as far as we know there could well be and I do not want to stick my neck out, as far as I know I do not think anybody is trading from a Government flat. If there are and the Hon Member would like to give me the address we will certainly have it looked at.

HON P J ISOLA:

If somebody registers a firm at a Government-owned accommodation, surely it is for that somebody to rebut the obvious presumption that arises that trade is being carried on from there otherwise they would have somewhere else registered.

HON H J ZAMMITT:

Yes, exactly the same, Sir, as a firm of barristers that use their Chambers as a registered address. I assure you I know the Housing Manager does take very careful note of this in checking out places not only for that reason, there are other reasons.

HON P J ISOLA:

If a company uses a lawyer's address as the registered office that is where the Income Tax Office writes to, that is where writs are issued, that is carrying on as a business in itself. How can the Government say, how can there be a requirement to register a business at a Government-owned flat if the person who is carrying on that business has a place and premises from which he carries it on, why not register it in the other premises, surely? The Government is really turning a blind eye to the whole thing, I would have thought.

HON H J ZAMMITT:

No, I do not agree that Government is turning a blind eye to anything. As I said, Mr Speaker, we do check these things out. As far as I know, and I do not know if the Hon Member is leading up to possible Commission Agents that are dealing from their residence, I do not know, but I honestly cannot think of anybody today in Government dwellings who are trading from dwellings as such and if there is then I would like Hon Members to give me the information and I will look into it. I cannot go any further than that.

HON CHIEF MINISTER:

We have in the past, perhaps, prior to the Hon Member having taken over the Housing portfolio, complaints from the Chamber of Commerce giving specific areas where business was being carried out and we carried out an operation and these people were stopped.

HON P J ISOLA:

If it is Government policy, I am not saying whether it is the right policy or not, but if it is Government policy that business should not be carried on from Government-owned accommodation one of the simplest ways of stopping it is not to allow businesses to be registered in Government-owned accommodation, surely?

HON CHIEF MINISTER:

If somebody is prepared to instal television aerials, for example, and gives his home address as the place where you can ask, I will give you an example of somebody who has done some work for me recently, who gives you his address where you can order. You ring and say: "Mr so and so I want a television aerial", because he has advertised that he provides television aerials, he has not got it in his house but he lives there and he takes his orders. I do not see how we can say that that is really carrying on business for the purposes of the tenancy agreement.

HON P J ISOLA:

Mr Speaker, I appreciate that, that may be giving a service. What bothers me is that it seems to be inconsistent for the Government to say that you cannot carry on business from premises and yet allow Government tenants to use Government-owned accommodation as the place of business or the registered place of business of their business, this is what is inconsistent.

HON CHIEF MINISTER:

There is a point there that should be pursued. I think that perhaps we might get the Attorney-General to define something, in fact, we are now looking at the tenancy agreements, as to what is carrying on a business. I can tell you that if anybody has business letter-headed paper with the telephone number, the Telephone Department immediately pounce on it and charge them business rates, I can tell you that.

HON G T RESTANO:

May I ask, Mr Speaker, since the Minister has mentioned it, what is the policy as far as Commission Agents are concerned?

HON H J ZAMMITT:

That is trade licensing, I am afraid I do not know. I am afraid I cannot answer that question without notice.

MR SPEAKER:

Next question.

NO. 60 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government consider allowing advertising in the Victoria Stadium and thus do away with the contentious issue of charges?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Sir, in addition to the introduction of charges Government is also considering allowing advertising in the Victoria Stadium Sports Centre.

SUPPLEMENTARY TO QUESTION NO. 60 OF 1982

HON A T LODDO:

Mr Speaker, does that mean that the charges that the Government envisages will not be enough to meet the cost?

HON H J ZAMMITT:

Never be enough to meet the cost, Mr Speaker.

HON A T LODDO:

Mr Speaker, does the Government have any idea how much it hopes to get from advertising?

HON H J ZAMMITT:

I cannot say how much we will get from advertising but I would ask the Hon Member that looking at last year's estimates he will find that the Victoria Stadium is in excess of £200,000 a year and if he has a formula whereby we can collect £200,000 be it from advertising or be it from charges, I would be delighted to know it.

MR SPEAKER:

Next question.

NO. 61 OF 1982

ORAL

THE HON A T LODDO.

Mr Speaker, when does Government intend to provide the wooden seats in the Victoria Stadium?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Public Works Department commenced work on the provision of wooden seats for the grandstand at the Victoria Stadium Sports Centre on 9th February, 1982.

SUPPLEMENTARY TO QUESTION NO. 61 OF 1982

HON W T SCOTT:

Mr Speaker, Sir, when the Hon Member is talking about the grandstand can one safely assume that it is the whole of the stand under the canopy?

HON H J ZAMMITT:

The whole of the stand under and exposed, it is the whole of the stand.

MR SPEAKER:

Next question.

NO. 62 OF 1982

ORAL

THE HON P J ISOLA

Sir, in view of the impending opening of the frontier and of the probable need to have more taxis in circulation will Government ensure by the appropriate regulations that those taxi drivers who do not have licences to own a taxi but who are full-time taxi drivers and wholly dependent for their living in this employment are given priority in the grant of any new taxi licences?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government will want to ensure that an adequate and efficient taxi service is maintained when the frontier opens. The manner in which this is to be achieved is a matter for the Transport Commission to consider.

SUPPLEMENTARY TO QUESTION NO. 62 OF 1982

HON P J ISOLA:

Mr Speaker, although that may be so does not the Minister agree or is it not patently obvious that when the frontier opens, the requirement for taxis in Gibraltar is bound to increase and does not the Government agree that as a matter of principle if any new taxi licences are to be issued for ownership of taxi licences priority should be given to those whose livelihood is maintained from driving taxis as a full-time employment and can Government do anything about that either by legislation or by directions?

HON M K FEATHERSTONE:

Yes, Sir, the first thing I would comment is that the number of taxis per capita in Gibraltar would appear to be well above the ratio existing in other neighbouring cities but I would accept the viewpoint of the Hon Member that if the number of taxis were to be increased and it is not necessarily essential to increase the number of taxis if one can increase the service by allowing two drivers to one taxi, to one vehicle, then it might be reasonable that those who are full-time taxi drivers but do not own a taxi might be the first ones on the list in general terms.

HON P J ISOLA:

Would the Minister not agree that if the Government was to revert to allowing two drivers for one taxi, that might precisely put in jeopardy the livelihood of the full-time taxi driver and are any safeguards proposed on that?

HON M K FEATHERSTONE:

I would think, Sir, that the Transport Commission which is a very wise Commission in these matters would take into consideration the situation at the moment and would tend to look after the present taxi drivers in preference to any new ones coming along.

HON P J ISOLA:

Mr Speaker, I do not know whether the Transport Commission has any discretion on this but could I ask the Minister to enquire into a complaint that I have received from five full-time taxi drivers or to be absolutely correct three of them, that it has been said that if their application to the Transport Commission for a full-time taxi licence is not granted, the owners of those taxis will withdraw them as full-time drivers of taxis almost in punishment for having had the temerity to apply for a licence. Will he enquire into that allegation that has been made to me to ensure that persons who have lived and have played according to the rules as full-time taxi drivers are not deprived of their livelihood by methods such as these?

HON M K FEATHERSTONE:

Sir, if the Hon Member would like to write to me and give me full details of that I will of course see that the Transport Commission looks into it but I do understand that the Transport Commission already intend that that will not be the case.

HON A T LODDO:

Mr Speaker, in the event of there being two taxi drivers to one taxi, would the Transport Commission consider it essential that taxi meters be installed in taxis?

MR SPEAKER:

I do not think that arises from the question.

HON P J ISOLA:

Am I right in saying that if we are going to revert to the two drivers to one car which will of course put existing taxi licence holders in a privileged position possibly, but anyway quite apart from that, if that is to happen that will require regulations or amendment to the law in this House so we will be able to discuss it.

HON CHIEF MINISTER:

I think it will require amending the Ordinance, I am not quite sure whether it is regulations or not but let me say that it has not been represented that there should be two drivers per taxi at

all. The taxi drivers have represented to the Transport Commission that as the demand is seen of what is required they may ask for that but as my Hon colleague has said here the question of those who are employed full-time is a matter which is very much in the minds of the people who have got to take this decision.

HON P J ISOLA:

May I say to the Chief Minister that I have been handed a letter this morning by the President of the Gibraltar Taxi Association and he does state in his letter that his Association has proposed to our Government and the Transport Commission the implementation of a two driver one car system and radio taxis.

HON CHIEF MINISTER:

That is not strictly correct. I would have to qualify it, I do not want to say that they have not. What they have said is that as the demands increase they would see whether it is necessary and when it is necessary not on a permanent basis, that is what they have represented to me formally and I have passed on the representations to the Transport Commission.

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

Can Government state if a final decision has been taken on the embellishment scheme of Cornwall's Parade and, if so, when will it be started and are there any other embellishment schemes for other areas and, if so, can information be provided on them?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, an exhibition on the proposals for Cornwall's Parade including Castle Street, Bell Lane, Cornwall's Lane, City Mill Lane, Horse Barrack Lane and that part of Main Street between Main Street and Cornwall's Lanes, will be opened to the public next month. This is intended as an exercise in public participation in order to obtain feed-back before a final decision is taken by Government sometime in July this year. Design work has started on other embellishment schemes for the Piazza and a pedestrianized area of a long section of Main Street and its side streets. Design work will soon start on pedestrian promenades on the City Walls including the embellishment of the existing boulevards as well as a longer term scheme for the Landport Ditch area.

NO. 64 OF 1982

ORAL

THE HON MAJOR R J PELIZA

Is Government satisfied that there is sufficient public transport for visitors from Spain who for one reason or another will enter and leave Gibraltar on foot?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, provision is being made at the frontier for a bus service to operate to and from West Place of Arms and provision has also been made for a taxi rank.

17.3.82

NO. 65 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government be installing traffic lights before the opening of the frontier?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Sir, a traffic engineer from the suppliers of the traffic signals is coming to Gibraltar at the end of the month to instal the equipment at Corral Road/Winston Churchill Avenue. The traffic signals should be operational during early April.

NO. 66 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government provide a 'request' stop for buses on the shuttle service between Four Corners and West Place of Arms for the convenience of the Laguna and Glacis Estates tenants?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the bus shuttle service is intended to provide a quick and efficient service between the frontier and West Place of Arms and should be a 'non-stop' service.

The existing bus routes give adequate cover to residents of Glacis and Laguna.

SUPPLEMENTARY TO QUESTION NO. 66 OF 1982

HON A T LODDO:

Mr Speaker, but considering the number of people who reside in Laguna and Glacis Estates who would have to walk from there to West Place of Arms and there get the bus back or, conversely, on their way back from Spain have to go to West Place of Arms and walk back, would it not be a reasonable suggestion that there be a request bus stop in which case the bus would only stop if requested to do so, not a compulsory bus stop? Would not the Minister agree that this is a very reasonable request?

HON M K FEATHERSTONE:

No, Sir. If the Hon Member says there are going to be so many people that will want to go to West Place of Arms or will get the shuttle service from Four Corners to West Place of Arms and will want to come back, then the number of requests is going to be very considerable and what we want is a smooth flow of traffic along that road rather than a number of buses stopping and holding up traffic all the time.

HON A T LODDO:

Mr Speaker, but considering there is only to be one stop and presumably one charge, would not the Minister consider this reasonable?

HON M K FEATHERSTONE:

I am willing to consider it, Sir, but my advice is that a non-stop service would be preferable.

HON A T LODDO:

Mr Speaker, would not the Government agree that whether or not the request stop is provided, within six months the bus will actually be stopping there with or without the request stop?

HON M K FEATHERSTONE:

That will remain to be seen.

NO 67 OF 1982

ORAL

THE HON G T RESTANO

Mr Speaker, with the considerable increase in traffic expected along Winston Churchill Avenue, would Government consider building a pedestrian bridge linking Glacis and Laguna Estates?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, quotations are already in hand for the supply and erection of a bridge to span across Winston Churchill Avenue to the south of the Adventure Playground.

SUPPLEMENTARY TO QUESTION NO 67 OF 1982

HON P J ISOLA :

Are these being put out to tender and when is it going to be done?

HON M K FEATHERSTONE :

I think, Sir, the quotations are being obtained from three or four firms in Britain which are likely to be able to supply this.

NO. 68 OF 1982THE HON P J ISOLA

Sir, will Government make a comprehensive statement on its plans for providing parking facilities once the frontier opens and can Government state the amount of additional spaces for parking that will be available once the frontier has opened?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government intends to discourage visiting motorists from entering the City Centre by directing them to car parking areas outside the central area.

There will be a paying car park for about 100 cars on the Romney Hut site at Queensway. Part of Alameda Parade will be used as a paying car park for about 160 cars with about 200 spaces retained as free parking for present users.

It has been established from actual surveys that this car park is considerably under-used. Once these 260 spaces have been taken up by visitors, other visiting cars will be directed to Rosia Parade car park which will cater for about 100 vehicles. It is not intended to charge for parking in this car park.

In addition to these 360 car spaces, provision will be made for the parking of about 30 large coaches at the USOC Tennis Courts, off Queensway. There will also be provision for 15 coaches at British Lines, 9 south of the NAAFI building and 6 at West Place of Arms.

SUPPLEMENTARY TO QUESTION NO. 68 OF 1982

HON P J ISOLA:

Mr Speaker, does the Minister not agree that it would make more sense to direct the coaches to Rosia than to direct the private cars to Rosia? Does he not consider that the walk from Rosia to Main Street constitutes unacceptable distances for walking?

HON M K FEATHERSTONE:

No, Sir, I do not agree. We have been advised that it would not be a useful exercise to have fairly large coaches going all the way to Rosia because on the way back they would have to negotiate the roundabout around the Queen's Cinema etc, and it would make considerable complication. They would also have to negotiate Ragged Staff gates which again would cause a certain amount of difficulty.

HON P J ISOLA:

Mr Speaker, would not the difficulty depend on the size of the coach? As is done, I think, in a lot of places cannot it be said coaches of such a length and such a height up to certain limits? Surely it makes much more sense that they go to Rosia than they go anywhere else or directed through the Dockyard now that it is

no longer of such strict defence requirements.

HON M K FEATHERSTONE:

What we understand is that the coaches that are mainly liable to bring in passengers are going to be the rather large coaches, seventy or eighty seaters, and I think it would be invidious if somebody came with a smaller coach to say: "You have got to go all the way Rosia", whereas somebody in a bigger coach has the facility of parking closer to town. This has been looked at by a Committee of several interested entities and these are the considerations that they have come up with.

HON P J ISOLA:

Mr Speaker, as far as parking are there any other plans for providing further parking facilities? Is anything afoot to provide further parking as will obviously be required?

HON M K FEATHERSTONE:

The 360-odd spaces that I have mentioned are the ones that we are planning for at the moment. Obviously, the situation may have to be re-appraised in the light of considerations in the future but I would not like to hazard any guesses what they may be.

HON P J ISOLA:

But are there any plans for multi-storey car parking?

HON M K FEATHERSTONE:

I think the Hon Member knows that we went out to tender some little time ago for a multi-storey car park at Casemates. I believe the tenders are due in at the end of this month but, of course, that will take some considerable time to build.

HON P J ISOLA:

Yes, I know, but that is part of the plan. Are there any other plans for a multi-storey car park apart from the Casemates?

HON M K FEATHERSTONE:

There is a possible sight for a multi-storey car park if we change the bonded stores at Waterport to some other site. That could be a considerably large area for a development of a multi-storey car park plus office accommodation and what have you.

HON A T LODDO:

Mr Speaker, would Government consider using the old MOD stores opposite the Queen's Hotel for possible parking?

HON M K FEATHERSTONE:

No, Sir, that is already the PWD stores, we are already in the process of moving in there.

HON W T SCOTT:

Mr Speaker, with regard to the car park in Alameda Parade which one understands from the Hon Minister is going to be divided into two, one free, one fee paying, am I to understand, although it has been mentioned, that the residents of Red Sands Road might perhaps be issued with residential parking permits?

HON M K FEATHERSTONE:

No, Sir, that scheme has been abandoned.

HON W T SCOTT:

I ask this, Mr Speaker, because it would be invidious to think otherwise since adjacent to each other there is a free car park and there is a fee paying one and obviously, no single car will go into the car park that requires a charge until such time as the free one is absolutely choc-a-bloc. I am thinking of a system where perhaps the residents who have traditionally been parking at Alameda Parade will.....

MR SPEAKER:

Order. We are not going to debate parking. If there is a question you wish to ask do so. Question time and supplementaries is for the purpose of information not for the solution of problems.

HON W T SCOTT:

Mr Speaker, does Government not realise that unless they introduce some residential parking tickets to the residents of Red Sands Road they themselves might have to pay parking fees where traditionally they have expected it free for very many years?

HON M K FEATHERSTONE:

The intention for the free car park is to have a notice at the entrance that it is for locally registered cars only.

MR SPEAKER:

Next question.

THE HON W T SCOTT

Sir, will Government make a statement on the present situation with regard to the Deep Drilling for water operation?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, at present the Deep Drilling for Water Project is limited to the following activity:-

- (a) Routine monitoring consisting of:
 - (i) Measurement of seasonal water levels;
 - (ii) Sampling of rainfall and tunnel drippings for subsequent chemical analysis;
 - (iii) Runoff measurements on sub catchment on the Upper Rock.
- (b) Pumping tests at Orillon and North Face boreholes.

The main objective of the routine monitoring programme is to provide confirmatory evidence for the provisional estimate of water recharge into the aquifer below the 'Rock'. The pumping tests are designed to ascertain the optimum pumping rates with minimum deterioration of water quality. Due to the lack of rainfall over the last two years, this phase of the project has had to be extended.

Notwithstanding the above, preliminary examination of results indicate that the aquifer contains water of high salinity and that it is subject to oil pollution. Investigations are therefore, under way, to evaluate the feasibility of using Airport run-off as artificial recharge to increase the overall recharge of fresh water into the aquifer, and to find remedial measures for the oil pollution.

THE HON W T SCOTT

Sir, will Government give the figures and costs for water production from available sources for the months of December, 1981, and January and February, 1982, and state what the stocks were at 28 February, 1982?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Production from Government sources for the months of December, 1981, to February, 1982, are as follows:-

SOURCES	DECEMBER 1981	JANUARY 1982	FEBRUARY 1982
	M ³ (Mg)	M ³ (Mg)	M ³ (Mg)
Rainfall	12,937 (2.85)	14,506 (3.19)	2,521 (0.55)
Wells	8,427 (1.85)	7,298 (1.6)	8,362 (1.84)
North Front Distiller	16,869 (3.71)	10,584 (2.33)	14,346 (3.16)
VTE Distiller	16,250 (3.57)	* -	* -
Importation (Morocco)	13,816 (3.04)	13,015 (2.86)	15,586 (3.43)
Importation (UK)	9,883 (2.17)	9,814 (2.16)	-

* VTE Distiller plant is not working and having the annual maintenance.

Costs of production are as answered in Question 176 of 1981.

Stocks on the 28th February, 1982, were 46,083M³ (10.14Mg).

NO. 71 OF 1982

ORAL

THE HON W T SCOTT

Sir, what action does Government intend taking as a result of the Principal Auditor's Report on the Annual Accounts ending 30th November, 1980, of the Gibraltar Quarry Company Limited?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the Principal Auditor's Report is mainly factual and does not contain any specific recommendations. However, Government is considering payment of claims for work done by the Quarry Company in alterations etc, to the chute.

Any claims for the hire of plant, it is felt, should be lodged against Messrs Robertson Research Ltd and not against Government. It is understood that the Quarry Company is considering taking legal action to this effect in due course.

NO. 72 OF 1982

ORAL

THE HON W T. SCOTT

Sir, when does Government envisage the completion of the works at Rosia Parade?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, owing to the additional works being carried out in connection with the frontier re-opening, there has been no labour available to complete these works. Once these high priority works are finished and labour is released, the work at Rosia will be completed.

SUPPLEMENTARY TO QUESTION NO. 72 OF 1982

HON W T SCOTT:

Mr Speaker, Sir, will Government state whether in fact they have considered the suggestion put forward at a previous meeting of this House of giving access to pedestrians from the lower level to the residents of Alameda Estate?

HON M K FEATHERSTONE:

I think that question does not quite follow since we are talking about Rosia Parade, I think it will follow from a later question.

NO 73 OF 1982

ORAL

THE HON W T SCOTT

Sir, to what degree has Government considered the possible consequences of the importation of sand from Spain once the border is opened?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, sand is of course being imported from Spain at the present time. If the Honourable Questioner means the importation of sand by land, then, as far as we are aware, the costs of such importation will not be competitive.

NO. 74 OF 1982

ORAL

THE HON W T SCOTT

Sir, when does Government envisage the completion of the works at Rosia Road?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, owing to the additional works being carried out in connection with the frontier re-opening, there is no labour available to complete these works. Once these high priority works are finished and labour is released, the work at Rosia Road will be completed.

SUPPLEMENTARY TO QUESTION NO. 74 OF 1982

HON W T SCOTT:

Mr Speaker, Sir, will Government say in fact whether they have actively pursued the suggestions put forward in this House in providing access from Rosia Road to residents of Red Sands Road?

HON M K FEATHERSTONE:

Yes, Sir, that is part of the items put down for next year's estimates.

MR SPEAKER:

Next question.

NO. 75 OF 1982

ORAL

THE HON W T SCOTT

Sir, will Government state what possible repercussions the landslide on the East side this last winter had and will have on the Gibraltar Quarry Company Limited?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the landslide has had no repercussions on the Gibraltar Quarry Company Limited, and it is considered that there will be none in the future. Indeed, it occurred at a considerable distance away from the Quarry Company site.

SUPPLEMENTARY TO QUESTION NO. 75 OF 1982

HON W T SCOTT:

Mr Speaker, is the site of the Gibraltar Quarry Company at a higher level where it was first originally intended to extract sand from far away or adjacent to that part of the East side which subsequently suffered the landslide of sand?

HON M K FEATHERSTONE:

I should think, Sir, the distance between what is classified as a landslide though it was in effect really a washout where water over-spilled the channel, it must be a distance of at least 200 metres.

MR SPEAKER:

Next question.

NO. 76 OF 1982

ORAL

THE HON W T SCOTT

Sir, will Government inform this House if the independent Consultant looking into the latest proposals from the original Consultants to the sand quarry scheme has reported back and if so will Government make a comprehensive statement?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the provision of an independent consultant is being arranged through Overseas Development Administration. A short list is now available and the consultant should be appointed in the near future.

SUPPLEMENTARY TO QUESTION NO. 76 OF 1982

HON W T SCOTT:

Is there any time limit, Mr Speaker, in which the consultant would be required or requested to report back once appointed?

HON M K FEATHERSTONE:

Naturally, we would ask him to do the job with the maximum expediency once he were here. The question of taking legal action is still reasonably safe, we have altogether six years from the original "completion" by Robertsons Research of the actual work they did so we still have at least another five years to go.

HON W T SCOTT:

Might I ask, Mr Speaker, whether the Government is entertaining any other proposals or implementing any latest proposals by Robertsons Research on this particular project?

HON M K FEATHERSTONE:

No, Sir.

NO. 77 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, can Government say what the recommendations of the "Board of Visitors to the Cemetery" were, after their meeting of 23rd July, 1981?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, I can only assume that the question refers to the bi-annual meeting of the Board of Visitors to the Cemetery held on 23 July, 1981, when the Board, in addition to discussing items of a routine nature, made certain recommendations concerning the following matters. These were:-

- (i) the revision of the Cemetery fees including the charges to be made for work undertaken hitherto privately by gravediggers with consequent adjustment to their wages,
- (ii) the need to review the labour force in the Cemetery commensurate with the workload involved in the administration of the Cemetery.

These recommendations were duly accepted by the Government and have either been implemented or will soon be put into effect.

17.3.82

ORAL

NO. 78 OF 1982

THE HON A T LODDO

Mr Speaker, has Government now considered whether or not to employ Traffic Wardens in view of the imminent opening of the frontier?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Yes, Sir, the matter is now under active consideration, but final decisions have yet to be taken.

SUPPLEMENTARY TO QUESTION NO. 78 OF 1982

HON A T LODDO:

Mr Speaker, will these decisions be taken before the opening of the frontier?

HON M K FEATHERSTONE:

Yes, Sir, before April 20th.

NO. 79 OF 1982

ORAL

THE HON A T LODDO

Who was responsible for accepting the St Mary's Middle School Annex south wing (Phase 1) from the contractor?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the Public Works Department project officer responsible for these works issued the certificate of practical completion.

It must be pointed out that this contract was carried out within severe financial constraints - no money was available for fixing or painting of windows and shutters which in the main, appear to be the items causing the most concern.

SUPPLEMENTARY TO QUESTION NO. 79 OF 1982

HON A T LODDO:

Mr Speaker, is the Minister satisfied with the state of the Phase 1 as was handed over and accepted when windows were painted over without having been opened?

HON M K FEATHERSTONE:

As I said, Sir, the project officer in charge issued the certificate of practical completion, he must have been satisfied at the time.

THE HON A T LODDO

Mr Speaker, has Government any plans for the restoration and future protection of the Bacarisas painting which hangs in the City Hall?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the Gustavo Bacarisas painting, which hangs in the City Hall, requires cleaning rather than restoration. This can only be done by an expert in this field and Government has been advised that the painting should not be moved from its present place.

Government is awaiting the opportunity of seeking the service of such an expert visiting Gibraltar in the not too distant future.

SUPPLEMENTARY TO QUESTION NO. 80 OF 1982

HON A T LODDO:

Mr Speaker, I will assure the Minister that the painting not only needs cleaning but also restoration if he cares to look at it closely the next time he is in that Hall. Can I ask the Minister who has advised the Government to this effect, that it does not need restoration only cleaning?

HON M K FEATHERSTONE:

It has been looked at by certain persons who have made that comment but since we are likely to have the visit of an expert he would know whether restoration is also required at the same time. I think we will leave it to the expert when he does visit Gibraltar.

HON A T LODDO:

Mr Speaker, can I have my question answered? Who has advised the Government that it does not need restoration?

HON M K FEATHERSTONE:

The people in my Department who have looked at it have given me that information. I think it might be invidious to name specific names. However, as I say, once we have an expert here he could make the final decision whether it is just cleaning, cleaning and restoration, restoration or what have you.

HON A T LODDO:

Mr Speaker, these people in the Minister's Department, are they qualified to make an assessment on a painting?

HON M K FEATHERSTONE:

They are qualified up to a certain extent, yes, they are not the experts that would be coming out in due course to look at it and that is why I say once again let us leave it until the expert comes and then we will have a definite answer as to what is to be done.

HON A T LODDO:

Mr Speaker, could I just finally ask, when are these experts supposed to be coming?

HON CHIEF MINISTER:

On the 1st of April.

HON A T LODDO:

A significant day. I hope they are far more expert than the ones that the Minister has in his Department.

HON M K FEATHERSTONE:

I think they have done good work in The Convent so I think they should be good enough for the Bacarisas painting.

NO 81 OF 1982

ORAL

THE HON P J ISOLA

Sir, will Government approach the owners of the land opposite Transport House in Town Range in view of the fact that it has remained undeveloped for over 20 years to see whether they would be agreeable to use the same for the parking of cars?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT
AND TRADE

Sir, the Deputy Police Commissioner considered on 26 February 1982, the possibility of converting, if the owners so agreed, the vacant piece of freehold land opposite Transport House into a temporary car park pending re-development of the site. The Commission was of the opinion that whilst the area was not suitable as a car park for visitors' cars, since this would only attract more cars into a part of town which was already heavily saturated, it could provide useful parking facilities for people living in the vicinity. Enquiries were accordingly made of the Company's solicitor and his reply is awaited.

NO. 82 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, is Government now in a position to make a statement on the old Shell Petrol Station at the junction of Corral Road and Landport?

ANSWERTHE HON THE ATTORNEY-GENERAL

No, Sir. Legal proceedings are still in process.

SUPPLEMENTARY TO QUESTION NO. 82 OF 1982

HON A T LODDO:

Mr Speaker, has the Government any idea when it will be in a position to make a statement?

HON ATTORNEY-GENERAL:

No, Mr Speaker, I cannot give a date, I agree that there is a need to bring this matter to a conclusion.

THE HON MAJOR R J PELIZA

Can Government state if there are any plans to resume the Gibraltar/Algeciras Ferry crossings and, if so, are there applicants for the service?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, proposals for discussions on this subject have been put to the Spanish authorities but to date no response has been received. Interest in operating a service was expressed by a number of firms in Gibraltar following the Lisbon Agreement of 1980.

SUPPLEMENTARY TO QUESTION NO. 83 OF 1982

HON MAJOR R J PELIZA:

Mr Speaker, is the space available in Gibraltar should the reply be favourable for the service to be resumed, is the area or the berths available?

HON A J CANEPA:

Let me say first of all that there will have to be consultations on the type of vessel to be used, naturally, but we have got No. 12 berth which is near the new Generating Station, that is available. In due course I think the Hon Member is aware that the Government has plans to reclaim in Waterport Basin and to provide roll-on roll-off ferry services there but the immediate berth would be No 12.

HON MAJOR R J PELIZA:

Am I right in assuming, Mr Speaker, that there is no possibility of having a resumption of such a service in the near future?

HON A J CANEPA:

I would not like to agree with that, no, in fact I said in my answer that proposals for discussions have been put to the Spanish authorities already so I hope that if they are forthcoming we will see the restoration of maritime communications.

HON MAJOR R J PELIZA:

And that of course consideration will be given to the applicants here in Gibraltar and not some imposed from outside?

HON A J CANEPA:

Absolutely, Mr Speaker, on a reciprocal basis.

MR SPEAKER:

Next question.

NO. 84 OF 1982

ORAL

THE HON MAJOR R J PELIZA

Can Government state if there has been an increase in the number of yachts calling at Gibraltar since the new Marina became operational and give monthly comparative figures if available?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, there has been a noticeable increase in the number of yachts calling at Gibraltar, since the first Marina became operational in 1962 when 524 yachts called. In 1972 the figure totalled 1,373. By 1979 the number had increased to 4,675. The new Marina became operational on the 24th July, 1980, and 5,519 yachts called that year. The 1981 figure is 6,181. Monthly comparative figures since August, 1980, are shown in the tables which I am circulating.

SUPPLEMENTARY TO QUESTION NO. 84 OF 1982

HON MAJOR R J PELIZA:

The Minister obviously is well aware that here is an economic activity where Gibraltar seems to be attractive and is he considering exploiting this asset that Gibraltar seems to have?

HON A J CANEPA:

Sir, there is another question, No. 85, and I think the answer to that will show what we have in mind.

THE HON MAJOR R J PELIZA

Can Government state if they have other Marina projects as new developments in mind?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, it is Government's policy to encourage Marina Development in Gibraltar. Already there are a number of developments or plans in this direction. Sheppard's Marina is currently expanding. Work at Marina Bay continues. Once the Customs Department is moved to the site of the Ice Box further expansion will be possible at Waterport Wharf. The proposed reclamation project for the East side allows further Marina Development. The Government will also give serious consideration to proposals for Marina Development on any land which in future might no longer be required for defence purposes by Her Majesty's Government.

THE HON MAJOR R J PELIZA

Can Government state if they are prepared to waive Port charges to cruise liners which remain in Port for 24 hours or more?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, at present cruise liners enjoy a 75% reduction in the normal berthing charge. During 1980, eighty-seven cruise liners called, only one of which stayed over 24 hours, namely the educational cruise ship "UGANDA". During 1981, sixty-four cruise liners called but none stayed over 24 hours.

So far, sixty-nine cruise vessels are booked for 1982 none of which have indicated a long stay. Government would, however, be prepared to consider the proposal sympathetically if a detailed programme of calls were to be submitted giving the number of calls envisaged and duration of their extended stay. With an open frontier situation it could well be that stays will be extended to allow short excursions into Spain.

SUPPLEMENTARY TO QUESTION NO. 86 OF 1982

HON MAJOR R J PELIZA:

Will the Minister give consideration to individual cases which can prove that if this concession were granted the return to Gibraltar in cash would be much greater than the amount to be collected in whatever dues are due? For instance, Mr Speaker, is the Minister aware that the QE II has been, I believe, acquired by the licensees in the United Kingdom to come to Gibraltar and because of the Port dues they are apparently not prepared to come over, I believe that the amount involved is about £280. Could the Minister give consideration to this particular case?

HON A J CANEPA:

Mr Speaker, in the case of the QE II the problem could be because it can only go to the South Mole and not in the commercial harbour. To answer the first part of the question, yes, we will consider any individual application sympathetically.

MR SPEAKER:

Next question.

17.3.82.

NO 87 OF 1982

ORAL

THE HON P J ISOLA

Sir, has Government any plans to introduce changes to The Shops (Time of Closing) Order now that the frontier is to reopen once more?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND LABOUR
AND SOCIAL SECURITY

Sir, Government is considering, in the first instance, whether shops should be allowed to remain open between 1pm and 3pm. No decision has yet been taken.

SUPPLEMENTARY TO QUESTION NO 87 OF 1982

HON P J ISOLA:

Sir, is it likely a decision will be made before the opening of the frontier?

HON MAJOR F J DELLIPIANI:

I am not in a position to reply to that, Mr Speaker.

HON P J ISOLA:

Doesn't the Government consider this of some importance, for example, any tour operators that wants to arrange a tour in Gibraltar and has to give the public the times that the shops are open and so forth?

HON MAJOR F J DELLIPIANI:

Mr Speaker, at the present moment there is provision when there are special tours for the Police to grant permission at the request of the Chamber of Commerce for the hours to be extended. The Transport and General Workers Union have intimated that they would be favourably inclined to doing away with the Shops (Time of Closing) Order altogether but there has to be further consultation with the Chamber of Commerce and other people, it is not as simple as that just to say no more shopping hours. I would be in full agreement with no more shopping hours if I knew that it would entail more employment. For example, I would not favour shopping hours where people are going to break their backs working hour after hour without any recreation, that kind of working conditions I do not want for anybody. There are lots of aspects that have to be looked into still even before the border has opened.

HON P J ISOLA:

Mr Speaker, no one is suggesting that we should go back to the days of exploitation, I understood the unions in Gibraltar were strong enough to be able to protect exploitation. What I am asking is whether the Government has any plans on the matter because it would seem to me that the question of shop hours or the times at which shops open or may be allowed to open is something of some importance and I would have thought the Government would have shrunk away from the idea of leaving this matter in the hands of the Commissioner of Police and the Chamber of Commerce which is what apparently is now proposed.

HON MAJOR F J DELLIPIANI:

I did not say that, Mr Speaker. I said that when there are special tours special dispensation is given. What I am saying is that this is a very big matter that cannot be decided overnight. We are already considering one step which is the closing at the lunch hour, that is one step we are considering which will help in staggering hours, staggering traffic etc. The other thing, the Transport and General Workers Union have shown their inclination towards it but obviously we will have to think of ways and means of giving a good service and at the same time creating more employment and not just creating more hours.

HON P J ISOLA:

Has the Minister portrayed any interest in this matter, Mr Speaker? Is there not a case, a very strong case for shortening, for example, the lunch hours at which shops have to be closed as a temporary measure and possibly closing earlier in the evening than they are closed today? Can there be any possible objection to that from the Trade Union movement or from the Chamber of Commerce or from anybody else and isn't the responsibility ultimately in the hands of the Government and will it exercise it?

HON MAJOR F J DELLIPIANI:

I am always willing to meet people who make representations and discuss things.

HON P J ISOLA:

Mr Speaker, that is not the question. The question is, is the Government responsible for the legislation and is the Government going to propose a time of shops closing with either an amendment to the Order, I am not suggesting it should do away with it, it may not be a good thing to do away with it but is the Government proposing that, for example, on Saturdays if shops wish to remain open and there are tour operators operating into Gibraltar whether the shops should be allowed to open? Is there any flexibility going to be shown or is it going to be a question for the Chamber of Commerce and the Commissioner of Police?

HON MAJOR F J DELLIPIANI:

I have already explained that the question will be considered with all parties concerned.

HON P J ISOLA:

Is the Minister not aware that unless decisions are made in these matters the whole organisation, I would have thought, of tours into Gibraltar during the summer months by the time the Government makes its decision, it will all be too late to reorganise?

HON CHIEF MINISTER:

Mr Speaker, I wish to make clear that during the summer months they have a general licence to open from 1pm to 3pm because of the hydrofoil service to which reference was made earlier. There is a great advantage too if it can be done and people can alter the tenor of their lives and that will avoid the traffic jams between 1pm and 3pm.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Mr Speaker, will Government state how it proposed to spend the £4m of development aid granted last year by the British Government?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, project applications in respect of the following schemes have been submitted to the Overseas Development Administration for funding under the £4m tranche of development aid funds agreed in mid December, 1981:-

<u>Project</u>	<u>Date of submission</u>
(a) Viaduct Causeway	4.1.82
(b) Replacement distillation plant	4.1.82
(c) Rosia Dale Housing Phase II	21.1.82
(d) Boys' Comprehensive School extension	21.1.82
(e) Mains renewals (Salt and Potable Water)	28.1.82

To date none of these projects have been approved. I would point out however that the Gibraltar Government is about to invite tenders for the distillation plant on the basis that funding of this project may eventually be arranged on export credit/commercial loan terms from local resources. ODA firmly indicated last week that it will only consider funding those projects which will improve economic viability and that it is therefore not prepared to fund housing, education nor social development projects. A formal reply to this effect is expected shortly. In the light of this regrettable decision and in order to avoid further delays in starting development projects, the Government will switch the Rosial Dale and Boys' Comprehensive School projects to local funds. The Government will shortly be seeking the approval of the House for new borrowing powers for this purpose. At the same time further project applications will shortly be submitted to the ODA in respect of development schemes related to road and street improvements, pedestrianisation as well as other small infrastructural projects for water and sewerage supplies.

SUPPLEMENTARY TO QUESTION NO. 88 OF 1982

HON G T RESTANO:

I must say, Mr Speaker, that of course it is most regrettable that there should have been this departure from what we were told in the House by the Chief Minister when he came back from his talks in December. May I ask the Chief Minister who did say and I think he used the words that the £4m had been laid on the table for use as we wanted provided, I am quoting from memory, provided we got approval from the Development Project Committee. Was he not told at the time when the £4m was put on the table, was he not told those £4m would be restricted exclusively to projects of economic viability?

HON CHIEF MINISTER:

The answer is, no.

HON P J ISOLA:

If that is the case the Government is fully entitled to put forward the project it has done and what is the Government going to do about the fact that the £4m that was given is now not being given, which is basically what the position is?

HON CHIEF MINISTER:

It is being given for other purposes but as the answer has anticipated we have only got this indication last week and when we get the letter we shall go back to battle on it but in the meantime we want to take advantage of the money as quickly as possible and we are not giving up in any way the question of the claim for development aid at all, but these are realities and if questions are asked the unpleasant answers must be given.

HON G T RESTANO:

What project, in fact, does the Government have which would enter into the field of economic viability?

HON A J CANEPA:

Infrastructural projects connected with putting right the distortions that have occurred in the economy as a result of the closure of the frontier over a period of thirteen years.

HON G T RESTANO:

Could the Minister be just a little bit more specific, that really is a phrase of very wide terms?

HON A J CANEPA:

The replacement of distillation plant is certainly one. Projects on mains renewals and sewers connected with pedestrianisation schemes that could include the causeway at Viaduct, reclamation in Waterport Basin, mains renewals schemes together with road and street schemes could involve expenditure of between £1.5m to £2m.

HON G T RESTANO:

Mr Speaker, the three that he has just mentioned, the Viaduct, the distillation and the mains renewals, I think were within the five points that were put to the ODA but they have rejected these, have they not?

HON A J CANEPA:

No, they have rejected the housing scheme and they have rejected the extension of the Boys' Comprehensive School. In fact, insofar as the Viaduct causeway is concerned I can announce that, I think it is at the end of March now, on the 29th March there is an ODA engineering adviser coming over to evaluate the causeway, the distiller and mains renewal schemes and also to become familiarised with our road and street schemes.

HON G T RESTANO:

Does that mean that in principle at any rate that particular project would appear to be acceptable to the ODA?

HON A J CANEPA:

There are indications, I think, that the Viaduct project is viewed with favour, that is clear. I think that projects connected with the Port seem to find favour with them. But let the Hon Member not forget one thing, that we are only talking about the £4m here whereas we have a huge development programme in mind which was aimed overall at correcting the distortions in the economy and bringing about greater economic self sufficiency and giving a definite direction to the economic planning over the next five years, that is still a matter for further appraisal.

HON J BOSSANO:

Mr Speaker, did the Minister say that the distiller was going to be financed by ODA or by the Gibraltar Government?

HON A J CANEPA:

I will repeat the answer, let us be careful. I said that to date none of these projects have been approved but I would point out, I said, that the Gibraltar Government have invited tenders for the distillation plant on the basis that funding of this project may eventually be arranged on export credit/commercial loan terms from local resources. In other words, just in case we can arrange if they say no to the distiller which is an urgent project, we will get it on export credit terms and the money that would otherwise have been dedicated from the £4m to this project will be used for something else.

HON J BOSSANO:

Isn't there some sort of condition that once we make a start on a project that means we can no longer get the money from ODA?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, we are not spending money we are merely going out to tender to get tender documents.

HON J BOSSANO:

And if the date arrives, in fact, when the tenders were closed and there was no answer, if the answer had not been known then we have to decide whether we go ahead and pay for it ourselves?

HON A J CANEPA:

That is correct.

HON J BOSSANO:

Could I just ask one other question, Mr Speaker? This policy that has now been communicated to the Government, does it apply just to this £4m or to the whole question of the aid?

HON A J CANEPA:

That remains to be seen, Mr Speaker.

HON P J ISOLA:

Mr Speaker, is it not highly desirable that the Government should put the British Government on notice so that clear decisions can be made as to development aid, on what basis it is to be granted, what are the principles on which it is to be granted to be made clear so that we do not have statements being made in this House that afterwards cannot be supported by the events as they occur? I do not know who is at fault but it is a very unsatisfactory position, is it not?

HON CHIEF MINISTER:

I am sorry, I do not think that any statements have been made in this House that cannot be supported. I only said when I came back that they had put on the table £4m for projects, there were no limitations put then at the time and it may well be that if we get more aid there may not be, maybe that they say: "This first money must be devoted in this way because we think with our money this is what you should do". But let me say that apart from the reasons that is taking the delegation to London about the Dockyard and so on, because it is the responsibility of the Government to pursue this matter that I shall be pursuing the matter in London myself precisely on this unsatisfactory reply which we have not yet received but we have an indication already and it would not have been fair not to have communicated it to the House.

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

Will Government take effective measures to enable Gibraltar traders to be competitive, such as reducing the import duty of selected goods, and take any other such steps as may be necessary, to encourage visitors to shop in Gibraltar and discourage residents from shopping elsewhere?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, I regret that the Government is unable to make a statement on its intentions and policy in advance of the Budget.

SUPPLEMENTARY TO QUESTION NOS. 5 AND 89 OF 1982

HON P J ISOLA:

Can I thank the Financial and Development Secretary for his comprehensive answer. I suspected it would be that but can I ask the Financial and Development Secretary whether we can expect a comprehensive statement to be made dealing with the matters raised in my question and in the question of my Hon and Gallant Friend, Major Peliza?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes Sir, in due course.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Will Government state when the effects of the drop in oil prices world-wide will be felt in Gibraltar?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the recent drop in world oil prices has been in the spot-market, which represents a small portion of global oil trade. As yet, the Term Contract market, through which the majority of trading is done, has not experienced a change in price level. I am given to understand that Gibraltar, because of the small size of the local market, has to rely on small regular supplies and, as a result, is dependent on a term contract for its supply and cannot take immediate advantage of drops in spot market prices. Should spot market prices continue to fall, this will eventually be reflected in term contract prices but it is impossible to predict when, and if, this will happen.

SUPPLEMENTARY TO QUESTION NO. 90 OF 1982

HON G T RESTANO:

Mr Speaker, I must say that I notice over the last few years that whenever oil prices have gone up in a certain period of time after that our own costs for electricity and so on also go up on account of these oil prices. Why it is, it just does not make sense to me, why is it that when the prices come down we do not see the same effects as when they go up?

HON A J CANEPA:

Because the spot-market is on the whole a speculative area, it serves as a source of supply to countries who due to their economical and political reasons have not got the necessary international credit lines and are therefore forced to pay the higher prices of the spot market. We are on a term contract and the term contract is not subject to this speculative fluctuation and we are told, however, that overall we are better off by buying on the term contract because spot market prices on the whole tend to be higher.

HON G T RESTANO:

Mr Speaker, I certainly have read in the UK press speculation of how much petrol will come down in the UK, has already come down, and that is not speculative, surely?

HON A J CANEPA:

Petrol came down here on the 1st March, 1982, it came down from 36.5p per litre to 34.7p per litre but that was due to a slight reduction in freight charges.

HON G T RESTANO:

When will we get the effect in petrol of the reduction in the prices which have already resulted in petrol being decreased in the United Kingdom?

HON A J CANEPA:

I have given the answer. I said: "Should spot market prices continue to fall, this will eventually be reflected in term contract prices but it is impossible to predict when, and if, this will happen".

HON MAJOR R J PELIZA:

Mr Speaker, isn't it a fact that most producers, including Britain, have brought down the cost, it has nothing to do with the spot market?

HON P J ISOLA:

Isn't there a need to look into the terms of the term contract that we have because it seems to me we have legislation under which the Government is able to put the prices up on the fuel cost adjustment formula because we were told, and this has been the argument in its favour, that we are subject to fluctuation of oil prices throughout the world and now that the fluctuations are downwards we do not seem to be subject to them. This is something that the Government should look into because there is no reason why the people of Gibraltar should pay the huge bills they pay on electricity merely because the terms of our term contract may be bad ones and wrong ones and will the Government look at them urgently and revise them?

HON A J CANEPA:

Mr Speaker, the fuel cost adjustment formula has not gone up for a long time. We do expect the cost of fuel to go down, in fact, only yesterday in discussing the estimates of expenditure for next year we were allowing for that, we expect that to happen in due course but it has to work its way through because we are on a term contract which we are advised is beneficial to Gibraltar. So if we are doing what is right we cannot expect to now carry out an investigation of the terms of the term contract which are perfectly satisfactory, the spot market is a very small market.

HON P J ISOLA:

Mr Speaker, the Minister is wrong, surely. The falling prices have been announced by the British National Oil Corporation and even Saudi Arabia and everybody else.

MR SPEAKER:

We are now debating.

HON P J ISOLA:

Mr Speaker, what we are asking for is that the terms of the term contract should be looked into because we do not seem to get the benefit of world drops in oil prices which everybody knows about and everybody reads about.

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

Can Government state if it is their intention to suspend the granting of victualler's licences until such time as in the light of experience the issuing of new licences will not create ruinous competition?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Mr Speaker, as I am certain the Hon Member is aware, the issue of a licence under the Trade Licensing Ordinance is the prerogative of the Trade Licensing Authority which is a statutory body established under that Ordinance. The Authority is representative of the various sectors in Gibraltar and is therefore in a position to be able to exercise its functions fairly and judiciously. The Government does not influence decisions of the Authority and all applications are considered on their merits. In order to proceed as the Hon Member is suggesting it would be necessary for the Governor-in-Council under section 16 of the Ordinance to direct the Authority that in the public interest no further licences for victuallers should be issued. These powers have not so far been exercised in respect of any particular trading activity and the Government has not been persuaded that in present circumstances it would be equitable to do so in respect of the catering business.

SUPPLEMENTARY TO QUESTION NO. 91 OF 1982

HON MAJOR R J PELIZA:

Is the Minister aware that in the present circumstances which is so really unknown as to the future, it might be in fact in the public interest to look into the matter carefully now and perhaps not just to include this particular case that I have mentioned but look at others as well to ensure that the local traders have some protection?

HON A J CANEPA:

Sir, the view that the Government takes is that to exercise rigid control over trading activities in Gibraltar would endanger the economic progress of the community, it could also jeopardise the level of employment and could well operate against the best interest of the community as a whole.

HON MAJOR R J PELIZA:

Has the Government looked at the other side of the coin, of the consequences that this can have on the community in a negative way because of very powerful outside competition coming into Gibraltar?

HON A J CANEPA:

Mr Speaker, I hope that we are talking about the same thing. Are we sure that we are talking about the same thing? Are we sure that when we talk about victualler's licences we are talking about catering or are we talking about tavern licences?

HON MAJOR R J PELIZA:

I think they are both included.

HON A J CANEPA:

No, that is why I have asked the Hon Member because it is not the same thing. I wonder what he has in mind are not tavern licences which have been the subject of controversy in the last few days. If that is what he has in mind then it is a separate issue, really.

HON MAJOR R J PELIZA:

Mr Speaker, I do not know, it may well be, we may be talking at cross purposes on this particular issue. What I am saying is the principle of

MR SPEAKER:

No, we are debating. Next question.

17.3.82.

NO 92 OF 1982

ORAL

THE HON J BOSSANO

Mr Speaker, will visitors to Gibraltar continue to be required to be in possession of a valid passport on entry?

ANSWER

THE HON THE CHIEF MINISTER

Yes, Sir.

17.3.82

ORAL

NO. 93 OF 1982

THE HON J BOSSANO

Mr Speaker, will the British Delegation to the Talks to be held with Spain on 20th April be informing the Spanish Side that Sovereignty is not a matter for discussion between Britain and Spain, if the question is raised for discussion by the Spanish Delegation?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, The Lisbon Agreement signed on 10 April 1980 - and I am aware of the Honourable Member's views on that Agreement - states that the British and Spanish Governments have agreed to start negotiations aimed at overcoming all the differences between them on Gibraltar. The Honourable Member will appreciate that this inevitably means that the question of sovereignty will be raised by the Spanish side. The Honourable Member should, however, also realise -

- (a) first, that paragraph 5 of the Lisbon Agreement states that the British Government will fully maintain its commitment to honour the freely and democratically expressed wishes of the people of Gibraltar as set out in the Preamble to the Gibraltar Constitution; and
- (b) secondly, that the Leader of the Opposition and myself are fully aware of the wishes of the people of Gibraltar on the question of sovereignty, which, needless to say, we share, and that we shall take particular pains to ensure that these views, which no doubt are already known, will be expressed once again.

SUPPLEMENTARY TO QUESTION NO. 93 OF 1982

HON J BOSSANO:

Does the Hon and Learned Chief Minister consider himself still to be bound by the motion that was carried in this House of Assembly to the effect that the view of the House of Assembly on sovereignty was not a matter for discussion between Britain and Spain and which he supported at the time?

HON CHIEF MINISTER:

Yes, I am fully aware of that and I am fully aware that following on the Lisbon Agreement we have agreed to participate with the British Delegation and that we think it is best that that view which was expressed in this House be brought forward by the people of Gibraltar directly to the Spanish people or the Spanish representatives.

HON J BOSSANO:

That is what I am asking in my original question, Mr Speaker. Whether, in fact, that view will be put if the Spaniards raise the matter, that is the question. Is the answer to that question yes?

HON CHIEF MINISTER:

The answer is yes and no. The Hon Member need not have any nightmares about this. The sentiments that were expressed here in that debate will be fully reflected in the course of any discussion that may be raised but which inevitably will be raised.

MR SPEAKER:

Next question.

NO 94 OF 1982

ORAL

THE HON J BOSSANO

Is it Government's policy to discourage Gibraltarians from settling in Spain and commuting to work in Gibraltar?

ANSWERTHE HON THE CHIEF MINISTER

The Gibraltar Government will neither discourage nor encourage Gibraltarians from settling in Spain and commuting to work in Gibraltar. The Government considers that it is up to each individual to decide this for himself in the light of the circumstances prevailing once the frontier has been re-opened and of the opportunities that might exist.

SUPPLEMENTARY TO QUESTION NO 94 OF 1982

HON J BOSSANO:

Would the Chief Minister not agree that whilst the right to do it may reside with the individual the obligation of the Government is to give leadership in this question because an individual may not appreciate the inherent long-term dangers there could be if Gibraltar becomes a commuter area from Spain?

HON CHIEF MINISTER:

There may be plenty of opportunities of drawing attention to people, these things do not happen overnight but essentially I do not think personally, having regard to the extent to which some people are hurrying to book flats and villas in the vicinity though they may not be for a commuter basis but for a weekend basis, I suppose. I think if the people of Gibraltar by now, I will put it this way, do not realise the dangers of having a big commuting population of Gibraltar between Spain and coming back if it suits them, if they do not realise that then they do not deserve to be Gibraltarians but that does not mean that people are not entitled to go wherever they like. I doubt whether, having regard to past experience, particularly before the evacuation, whether the fact that there is a commuting population of Gibraltarians in Spain makes them less Gibraltarian.

HON J BOSSANO:

I am interested in the Government policy on this matter and therefore, Mr Speaker, am I right in inferring that since the Government will not be encouraging it there will be no changes in legislation such as to make residence in Spain more attractive than it is under the current legislation?

HON CHIEF MINISTER:

In general I would say yes to that, that we will certainly do nothing by legislation that would make it encouraging, generally, yes.

HON J BOSSANO:

Is that another yes and no answer?

HON CHIEF MINISTER:

That is not a yes and no answer.

HON J BOSSANO:

Could I ask one other question, Mr Speaker? Am I right then in saying that since the Government does not intend to encourage Gibraltarians to take up residence in Spain, in its capacity as an employer it will not be attempting to alter the present requirement that civil servants cannot leave the Colony without obtaining the permission of the Governor, otherwise we would have all civil servants obtaining daily permission to go home at night?

HON CHIEF MINISTER:

I would like notice of that question whether it still prevails and whether in fact it was not being flouted prior to the closing of the frontier but it is one more aspect of the matters which will be considered.

HON P J ISOLA:

Mr Speaker, may I ask, in the absence of my Hon and Learned colleague Mr Haynes in the United Kingdom, that isn't the best way of encouraging Gibraltarians to live in Gibraltar to provide housing and will the Government not agree that it would be unfair to put disabilities on Gibraltarians who through force of circumstances in their desire to obtain housing have to find housing in Spain, to add to their discomfort by imposing disabilities on them?

HON CHIEF MINISTER:

I do not know what the reference to disabilities are but certainly the policy of the Government on housing has not changed and will not change because of an open frontier.

HON P J ISOLA:

Mr Speaker, that is the trouble.

MR SPEAKER:

Order, we are not going to bring the housing question into this. Next question.

NO. 95 OF 1982THE HON MAJOR R J PELIZA

Can Government state if any satisfactory progress has been made in connection with the curtailment of the operational hours of the airport?

ANSWERTHE HON THE CHIEF MINISTER

Sir, a team from the Ministry of Defence visited Gibraltar in late January to carry out a detailed "In House" study of the implications from an M.O.D. standpoint of a possible curtailment of the operating hours of the airfield. This team was not empowered to negotiate with the Gibraltar Government.

For its part, the Gibraltar Government has made its own assessment, assisted by current operators, of the new situation that would arise in relation to likely increased demands for the use of the airfield when the frontier is re-opened. The matter will be pursued with the Ministry of Defence, through the Foreign and Commonwealth Office, as may be necessary depending on the results of the MOD study to which I have referred.

SUPPLEMENTARY TO QUESTION NO. 95 OF 1982

HON MAJOR R J PELIZA:

Can the Chief Minister give an assurance that whatever solution is found that we are not in any way subjected to outside influences which could have a very determining attitude as to the use of the airport in the future?

HON CHIEF MINISTER:

I am afraid I do not follow what the outside influences mean other than the MOD.

HON MAJOR R J PELIZA:

Outside influences, Mr Speaker, quite straightforward, influences which are not established in Gibraltar.

HON CHIEF MINISTER:

I would not expect that that would be tolerated as far as we are concerned, certainly.

HON MAJOR R J PELIZA:

I am very glad to hear that, Mr Speaker.

THE HON P J ISOLA

Sir, in view of the invitation of the Chief Minister to the Opposition to cooperate in the forthcoming inquiry into the Electricity Department and Generating Station, will the Chief Minister now make available to Members of the Opposition the Preece, Cardew and Rider Report in order to enable them to make a useful contribution to the inquiry?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, as stated in my reply to Question 37/80, the Report contains advice and comment on the development of electric power up to the year 2000. The information affects Government development and financial policies including not only capital expenditure but forecasts of possible increased revenue to be obtained from the supply of electricity, and hence the Government's budgetary policies. The Report must therefore continue to remain confidential to the Government.

Notwithstanding this, I am confident that the Opposition will be able to make a fruitful contribution towards the enquiry which, as the Hon and Learned Member will recall follows the policy previously adopted by the Government of carrying out a programme of enquiries into the role, structure and organisation of Government Departments.

SUPPLEMENTARY TO QUESTION NO. 96 OF 1982

HON P J ISOLA:

Will the Chief Minister not agree that it would be impossible for the Opposition to make any useful contribution to the inquiry having regard to the controversy that has risen round the Electricity services, the factual disagreements there have been between the trade unions, the Government, those who work and those who do not work in the Generating Station, it would be impossible for the Opposition to make any contribution to the inquiry if they do not have at least the same information that those conducting the inquiry have and I regret to say, Mr Speaker, that the Opposition would certainly have to reconsider its attitude to the inquiry if this report is not made available.

HON CHIEF MINISTER:

I hope the Hon Member when he reconsiders that he reconsiders it in a favourable way. I do not think that they will be hampered in any way by making representations and having had a long session with the team and given the calibre of the experts who have come from abroad, I am quite sure that the Opposition can make a very fruitful contribution in the general inquiry without the need of having the Preece, Cardew and Rider Report.

HON P J ISOLA:

Mr Speaker, it is a matter for the Opposition, surely, to decide whether their contribution can be useful if a report that has been the subject of great controversy in this House is not made available to them at a time when a supposedly independent Committee is looking into the whole matter.

HON CHIEF MINISTER:

Of course it is a matter for the Opposition, what I am trying to do is to persuade the Opposition to take a broad view of the matter and not to take a narrow view, in the general interest of the future of the undertaking.

HON P J ISOLA:

Mr Speaker, this is precisely what we are seeking to do on this report, to take a broad view of the matter, and that is the reason why I am asking the Chief Minister that the Government should equally take a broad view of the matter by making available a report that is there and has done work on the whole issue of power capacity and power generation in Gibraltar, making it available certainly to the Committee of Inquiry, otherwise I do not see how they can do any useful work on the matter, and the Opposition who seeks to make a useful contribution to their deliberations.

HON CHIEF MINISTER:

The Committee of Inquiry has got a copy of the Preece, Cardew and Rider Report, of course they have all the documents.

HON P J ISOLA:

Mr Speaker, does that not indicate to the House that the Preece, Cardew and Rider Report is necessary for the purposes of the inquiry and how is the Opposition going to address the Committee of Inquiry on the Preece, Cardew and Rider Report when the Opposition does not have it and the Committee of Inquiry does have it, is this not making a sham of the whole inquiry?

HON CHIEF MINISTER:

Of course not. The people who are carrying out the inquiry have got to have a complete broad view of everything in order to carry out their inquiries and make the best use possible of the information they have. I still think that the Opposition can make a contribution but of course it is up to them to decide.

MR SPEAKER:

I think we are not going to get any further. The position is clear as between Government and Opposition. The Government is not prepared to release the report to the Opposition, the Opposition feel that they cannot cooperate. We are not going to debate the matter at question time.

HON P J ISOLA:

Will the Chief Minister accept that if the inquiry does not have the assistance of the Opposition who have had great experience in this matter, he only has himself to blame?

HON CHIEF MINISTER:

I do not know that the Opposition has great experience in this matter, there is no one who has held office except the absent Member who normally lives in England who knows anything about Government at the time.

MR SPEAKER:

Order. Next question.

17.3.82

NO. 97 OF 1982

ORAL

THE HON P J ISOLA

Sir, has the Chief Minister received any reply to his oral invitation to the Lord Privy Seal and Mr Blaker to visit Gibraltar as soon as possible extended to them by him in December, 1981?

ANSWER

THE HON THE CHIEF MINISTER

Sir, with your permission, I propose to answer this question together with No. 98.

NO. 98 OF 1982

ORAL

THE HON P J ISOLA

Has the Chief Minister now extended an invitation to Mr Neil Marten, Minister for Overseas Development to visit Gibraltar and has he received a reply?

ANSWERTHE HON THE CHIEF MINISTER

No, Sir. I have not pursued these matters because, as the Hon Member is aware, it was decided, on my return to Gibraltar in December, 1981, that a delegation from Gibraltar should ask to meet the Lord Privy Seal in order to discuss with him a memorandum on the future of the Dockyard by the political parties represented in this House and by the main representative bodies. The draft memorandum has been agreed by those concerned and the delegation will be meeting the Lord Privy Seal on 30th March.

The desirability of pursuing our proposal for a visit to Gibraltar by one or more of the British Government Ministers concerned will be borne in mind as events develop arising out of this meeting.

SUPPLEMENTARY TO QUESTION NOS. 97 AND 98 OF 1982

HON P J ISOLA:

Has any reply been made to the oral invitation?

HON CHIEF MINISTER:

Pardon?

HON P J ISOLA: -

It is not a question of pursuing it, has any reply been made to come to Gibraltar?

HON CHIEF MINISTER:

Yes, there has been an indication of the desire to come to Gibraltar at an appropriate time but certainly after we go and see him. I think the month of May was mentioned or something like that. It is not out but of course they said: "We better wait until you come and see us and then we will see".

NO. 99 OF 1982

ORAL

THE HON W T SCOTT

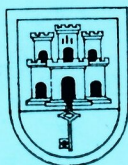
Sir, is Government now in a position to make a comprehensive statement with regard to the Report of the Committee of Inquiry into the Public Works Department as stated in Answers to Questions 280 and 358 of 1981?

ANSWERTHE HON THE CHIEF MINISTER

Yes, Sir, the Minister for Public Works will be making a comprehensive statement on the Report of the Committee of Inquiry into the Public Works Department at a later stage in the proceedings of the House and he has given notice of such a statement.

GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

Meeting of
6 July 1982
100 to 170

THE HON J BOSSANO

Can Government state whether it has now finished giving urgent consideration to the question of counting part-time service for the award of a pension as proposed by the Hon Financial and Development Secretary on 20 December, 1978?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, the conditions under which part-time service should be made pensionable have now been fully examined and it is expected that a final decision will be taken shortly. The necessary steps will then be taken to draft suitable legislation.

SUPPLEMENTARY TO QUESTION NO. 100 OF 1982

HON J BOSSANO:

Mr Speaker, can I take that to be an indication that there is a strong probability that the legislation will be brought to the House after the summer recess?

HON ATTORNEY-GENERAL:

The Government will consider the matter as quickly as possible but a final decision is to be taken and once that decision is taken the Government would wish to show the proposals to the staff side. I would not guarantee that it will be ready by the first meeting after the summer recess but it is a matter which will be given priority.

HON J BOSSANO:

Mr Speaker, I take it then that the Government is now in a position to proceed with negotiations with the staff side which so far have not been able to make any move at all because of the lack of a policy decision?

HON ATTORNEY-GENERAL:

The answer is not quite.

HON J BOSSANO:

Mr Speaker, does the Hon Member think that the indication given in December, 1978, that it was going to be given urgent consideration would lead one to suppose that it would take less than four years to take a policy decision on the matter so that negotiations could at least get started?

HON ATTORNEY-GENERAL:

Mr Speaker, I can only say I have outlined what the Government is proposing to do on the matter, I think the Member himself is aware of the history of the matter up until now.

HON J BOSSANO:

Mr Speaker, I am afraid not. All that the Hon Member has said was what was said on the 20 December, 1978, that it is a matter that will be given priority. I am asking the Hon Member in the intervening four years how far have we moved because can he not confirm that the position is that the staff side has been unable to pursue negotiations on this matter in spite of raising it at intervals of six months?

HON ATTORNEY-GENERAL:

The position, Mr Speaker, is that the Government has come to a view on its policy but the matter has been with officials for working out the details of that policy and it is simply that we are now at a stage where it is ready to go forward for final consideration by Government and then it will be shown to the staff side and then legislation will be drafted, that is in fact the position. I realise the Hon Member's comments but there is nothing more I can say.

HON J BOSSANO:

The point, Mr Speaker, unless I am misunderstanding the Hon Member, what I would like him to state clearly is whether it is now the case that the negotiations that are to take place between the Government and the staff side can now proceed because in fact I would like the Hon Member to confirm that when the matter was debated in the House, I myself made the point that I was asking the House, in the motion that I brought, to give support to the principle: accepting that the details of its implementation was a matter to be agreed between the Government and its employees and not between Members of the House. Is that necessary second phase which I would have anticipated would have taken place in 1979 not 1982, is that second phase now ready to go into effect?

HON ATTORNEY-GENERAL:

Not quite.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Mr Speaker, in view of the desire on the part of the Government to build Gibraltar up as a Finance Centre will it give sympathetic consideration to amending the Merchant Shipping Ordinance so that ships registered in Gibraltar may be deemed to comply with manning requirements if officers of these ships are certificated officers of any EEC countries?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, vessels are registered at Gibraltar in accordance with the Merchant Shipping Act 1894, the requirements of which are therefore identical to those vessels registered in the UK.

In June, 1981, the Captain of the Port inquired from the Registrar General, ie the Registrar General in England, whether EEC certificated officers could be employed on British ships. The answer to this was a categorical "No".

The Hon Member will be pleased to note however that the whole structure of the 1894 Act is presently under review by the UK including the position of dependent territories as Registry ports, including Gibraltar.

Once the final proposals of the review are received, Gibraltar will then be in a position to consider either amending our own Merchant Shipping Ordinance to include Registry procedures here or to continue to apply UK regulations.

SUPPLEMENTARY TO QUESTION NO. 101 OF 1982

HON G T RESTANO:

Could the law not be amended before it is amended in the United Kingdom?

HON ATTORNEY-GENERAL:

No, Sir, I think not. I think in Merchant Shipping matters we would wish to, certainly we will look at them from a Gibraltar point of view, but I think overall we would wish to conform as nearly as possibly with British practice. Certainly not to move ahead until a matter of this extent, a review of this extent in the UK has been concluded.

HON A J HAYNES:

But surely the Attorney-General is aware, Mr Speaker, that the manning requirements do not in any way infringe on security or safety regulations?

MR SPEAKER:

We are not going to go into the particular amendments being proposed. We have a general question as to whether EEC certificated Captains would be allowed to, no more or less, we are not going to go into the nitty gritty of the thing in any manner or form.

HON A J HAYNES:

As I understood the answer to be, Mr Speaker, the refusal or the reluctance is concerned with keeping in line

MR SPEAKER:

No, the reluctance is that until such time as the UK Act which is being revised now has been revised, Government feels that they should do nothing. That is the way I have understood the answer.

HON J BOSSANO:

But, Mr Speaker, surely what the Attorney-General is saying, and perhaps he can confirm it, is that if the UK does not change its provision we will not change it, then effectively, he is denying the possibility of Gibraltar being able to attract ships registered outside UK who have got EEC Masters who are not UK Masters and who have no intention of moving to UK registry but who are very interested in coming to a Gibraltar registry?

HON ATTORNEY-GENERAL:

Mr Speaker, with respect I am not quite saying that. What I was really saying in essence is simply that there is the position in the United Kingdom at the moment on this, the United Kingdom Government is reviewing its Merchant Shipping Act, we would not wish to proceed in advance of that. I think I mentioned expressly that there must be a Gibraltar point of view but also I think it has to be kept in mind that Merchant Shipping in Gibraltar is part of Merchant Shipping within the whole of the United Kingdom and that is a fact we cannot entirely lose sight of, because the Merchant Shipping fleet has a certain significance.

HON P J ISOLA:

Mr Speaker, is not the fact that the manning requirements for ships registered in Gibraltar are set out in the Merchant Shipping Ordinance and not in the Merchant Shipping Act and therefore if this House wishes to change these requirements in respect, on a limited scale because the Merchant Shipping Ordinance deals with a lot of other matters, no one is suggesting safety standards or anything else should be diminished, but we are suggesting that EEC certificated officers and the EEC are civilised countries as far as we know, that EEC certification of officers should be allowed under the Merchant Shipping Ordinance. Surely, if we are to wait, Mr Speaker, for the English Merchant Shipping Act to be changed which I am sure is likely to take a number of years, any hopes Gibraltar might have of attracting vessels to be registered in Gibraltar would be lost. Surely, we can do this in anticipation if we have our own

Merchant Shipping Ordinance. If we did not have it, Mr Speaker, I would agree with the Attorney-General but it is actually laid down. The manning requirements are in fact laid down in our Ordinance. They conform with the Merchant Shipping Act it is true. We do have our own Ordinance.

HON ATTORNEY-GENERAL:

I do not think that civilisation is the criterion. I think it is one of security. It is correct that the Merchant Shipping Ordinance does contain provisions expressly saying that the Master of the British ship cannot be alien. I think I have already conceded that there must be a Gibraltar point of view on what is desirable in the way of the staffing and ships, but overall I have to say that, obviously nothing necessarily stops the Government, if it thinks it is important enough raising an issue, we are looking at the matter in the overall context of a general review of the British Merchant Shipping law and I think there is a practical limit as to how far one can get ahead of it.

HON J BOSSANO:

Mr Speaker, does the Financial and Development Secretary know that there is a potential in attracting business to Gibraltar which is being lost by our refusal to allow non-British EEC Nationals who are Masters of ships to be Masters of ships that are registered in Gibraltar? That there is a financial implication apart from the question of the Merchant Shipping Ordinance, would the Financial Secretary confirm that this is the case, that Gibraltar is losing a potential business which is going elsewhere?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Mr Speaker.

HON J BOSSANO:

Would then the Attorney-General not agree that that is a far more important consideration which does not apply to UK because in fact people are not moving from other registry into the UK, they are moving out of UK? Would the Attorney-General not agree that this is the case?

HON ATTORNEY-GENERAL:

I can only agree, Sir, and I think the Hon Member would not expect me to go beyond that, I can only agree that it is an important factor.

HON P J ISOLA:

Can we ask the Government to ask the United Kingdom whether they have to ask the Department of Trade, tell them that because of our interest in the matter we are interested in amending the Ordinance because it seems to me, Mr Speaker, that a certificated Master or a certificated officer in any EEC country should be able to drive a ship or man it and if there are important financial considerations in the building up of Gibraltar as a Finance Centre the Government ought to be doing

something about it and not just sit on their backs and wait for the British Parliament to consider what will be a very lengthy and tardy exercise, the amendment of the English Merchant Shipping Act which has stood the test of time for almost one hundred years, they will not be amended in two weeks, Mr Speaker.

HON A J CANEPA:

Mr Speaker, this is not a defined domestic matter therefore although I am Minister responsible for the Port I am not responsible for the Merchant Shipping Ordinance. Nevertheless I do hold a certain view on the matter and the view that I hold is pretty close to the views that have been expressed by Members of the Opposition, other than perhaps I do not go as far as the Hon Mr Bossano in that I think we have got to be careful that we strike a balance about the revenue that can be derived as against the good name of Gibraltar as a Port. Having said that, however, my colleagues do share the line that I take and the Government has moved, unfortunately bureaucrats sometimes do not move as rapidly as Ministers would want them to do but I have been pressing for the point to be made to the Department of Trade and Industry in respect of EEC Nationals. Unfortunately, my request was not attended to, I am sorry to have to say, but because it is not a defined domestic matter and because Members of the Opposition are bringing the Government under attack I think we have to defend ourselves.

HON P J ISOLA:

Mr Speaker, is the Minister telling us that the Government is in favour, that is what we want to hear, of amending the legislation so that EEC Nationals can be certificated officers of ships registered in Gibraltar? Is the Government in favour of that?

HON A J CANEPA:

Ministers are in favour, I adopt the view that it is ridiculous if a ship with an EEC Master is chartered by the Ministry of Defence to go to the South Atlantic how the Department of Trade and Industry can say that there is a security risk.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Will Government state why it has been necessary to re-allocate well over £200,000 so soon after the Estimates were presented to this House and would Government not agree that such a situation would appear to point to inefficiency in estimating?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, the question appears to be based on a misinterpretation of the papers laid on the table for this meeting of the House. Only £176 has been reallocated in this financial year by Reallocation Warrant No. 1 of 1982/83.

SUPPLEMENTARY TO QUESTION NO. 102 OF 1982

HON G T RESTANO:

No, Mr Speaker, this question is directed to the Statement of Re-allocations No. 8 of 1981/82 which is for over £200,000. Would the Hon Member say why it has had to be re-allocated so soon after the estimates were presented and, whether as they appear to be for the 1981/82 financial year, why they were not presented to this House at budget time?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, No. 8 of 1981/82 applies under the estimates of 1981/82, it does not apply to the estimates of 1982/83. The reason why it was not put to the House in the Supplementary Appropriation Bill is that a re-allocation is between subheads. This House votes and allocates funds under Heads. Any movement within a Head between one subhead and another of funds is done under the powers vested in the Financial and Development Secretary under the Public Finance (Control and Audit) Ordinance but, having re-allocated funds it is the duty of the Financial and Development Secretary to lay on the table a statement of the re-allocations made. These are re-allocations, they are not amounts voted on Heads, they are movements within Heads.

HON G T RESTANO:

They may be movements within Heads, Mr Speaker, but if this House is asked to vote, for example, in the case of Pumping and Maintenance of Plant, if this House has been previously asked to vote £85,000 and now we are told that for this subhead the Government does not need £85,000 that it needs it for other purposes surely that is inefficiency in estimating?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The Hon Member may think so, Sir, I do not agree.

HON A J HAYNES:

If I contest the Hon Financial and Development Secretary's answer. Can he, for instance, explain the virement under Head 20 - Public Works Annually Recurrent from Housing of £14,000 in the re-deployment of the labour force and what does that mean, anyway? Doesn't Housing need their money?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, in my view this is outside the ambit of the original question. The question was directed to re-allocations of funds in 1982/83. The Hon Member is now asking questions about re-allocations in 1981/82.

HON G T RESTANO:

It is quite clear £200,000, the re-allocation of £200,000, 1982/83 was certainly not mentioned.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, "so soon after the Estimates were presented", a year and a quarter after the Estimates were presented, so soon? The Estimates for 1981/82 were presented in April, 1981.

HON G T RESTANO:

Surely the point is, Mr Speaker, that this House was asked to vote in certain monies and it did so. Now we are told that the requests were not accurate as in the case of maintenance. That, surely, and I must repeat, Sir, surely, is inefficiency in estimating.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, the Hon Member is making a statement not asking a question. May I say that if any Hon Member has a question on a re-allocation in any year that question can be put. I think that the Hon Mr Scott last year raised a number of questions on re-allocations and got answers from the Ministers concerned.

HON P J ISOLA:

Mr Speaker, could I ask one question on this and that is if in fact, for example, there has been a virement of funds from the Pumping and Maintenance vote of, say, £85,000 which my Hon Friend has mentioned, that surely must affect the estimation for the next year. If in fact £85,000 was not used in a vote during the year and vired somewhere else, is there not a serious danger of the error being committed again in the following year's estimates?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

There is a danger, yes, but it is limited by the fact that when the Treasury at the last go-through of the draft estimates is considering each item of expenditure it knows exactly what re-allocations have been approved by the Financial and Development Secretary and adjust accordingly.

NO. 103 OF 1982

ORAL

THE HON P J ISOLA

Sir, will Government consider making a request to the British Government to have reimbursed out of aid funds extraordinary expenditure incurred in connection with the reopening of the frontier?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Sir. A Development Aid Project application is being prepared to cover the capital expenditure incurred. It will be submitted to the Overseas Development Administration shortly.

SUPPLEMENTARY TO QUESTION NO. 103 OF 1982

HON P J ISOLA:

Sir, will this be prepared so that it can be put to the British Minister that is shortly to visit Gibraltar? I think there is some urgency.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, I do not think this would be proper. One could mention this. The Minister concerned is a political Minister not an aid Minister but in fact it has already been raised when His Excellency the Governor was back in London and following his meeting with the Aid Minister I spoke to officials and it was agreed that the way forward was first to prepare the development project.

THE HON A J HAYNES

Sir, will Government reconsider their answer to Question 286 of 1981 and the further request on the matter of import duties?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, in reply to Question No. 286 of 1981 I said that if there were firm evidence that private dwellings were installing solar heating or other such non-fossil fuel consuming devices on a large scale the Government would be prepared to consider what additional relief might be given. I also said that any such concession would have to be looked at in the light of the Government's financial position and on the cost/benefit to the economy as a whole. No evidence has been produced to the Government and no approach has been made by any person seeking the relief suggested by the Hon Member. In the circumstances the Government does not consider that a case has been made for moving beyond the existing provisions of the Income Tax Ordinance, which already provides for relief where a commercial institution installs the type of equipment mentioned.

SUPPLEMENTARY TO QUESTION NO. 104 OF 1982

HON A J HAYNES:

Mr Speaker, isn't Government interested in encouraging the idea? After all the purpose of granting a subsidy or tax relief is to encourage people to introduce solar heating which in turn would take the load off our electrical generating power plant which does not seem to meet requirements? As I said last time, which came first the chicken or the egg?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

What comes first, Mr Speaker, is a request from someone to do this, it does not mean me. For a question to be asked in the House "will Government do this or that" is one thing but Government then replies "we will consider it if a case is put to us", a case has yet to be put.

HON A J HAYNES:

Will the Financial and Development Secretary look at proposals on the basis of what the relief offered by other countries to encourage the introduction of solar heating is? Will the legislation and the lead shown by other countries in Europe be a sufficient case for the Financial and Development Secretary?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, no, Sir. What I want to see and what the Government wants to see rather, is a specific proposal put forward by persons saying what the case is for doing this in Gibraltar and when it comes we will review it sympathetically but what we want is a case to be brought forward.

HON P J ISOLA:

Mr Speaker, isn't it self evident that if the Government wished to encourage solar energy in Gibraltar and does it not have good reasons for doing this having regard to the very high cost of electricity in Gibraltar? Isn't it part of the Government's duty to announce measures to encourage people to rely on solar energy and take measures like it did, for example, with regard to certain building materials? I would have thought that the initiative should come from the Government if it is convinced that it should be encouraged.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, we have yet to be convinced that it should be encouraged because how many people are importing this solar heating equipment? How much has been imported over the last year? I have no idea, no one has come forward and told us.

HON J BOSSANO:

Mr Speaker, the provisions in the Income Tax Ordinance regarding home improvements where interest payments on loan to improve a property come under the same provisions for tax relief as mortgages to purchase property. Would the introduction of this equipment count as a home improvement? Is that already available, I am asking?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I would need notice of that question.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Further to Question 247 of 1981 will Government make a statement regarding the financial consideration raised in answer to that question?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Sir, the financial considerations to which I referred in answer to question 247 of 1981 still apply. The Government intends to improve facilities for cruise liners and ferry services once it has the necessary funds for such development. The desired improvements must await - the outcome of consideration of the proposals for commercialisation of the Dockyard and the long-awaited discussion with Her Majesty's Government regarding the Gibraltar Government's 1981/86 Development Programme.

SUPPLEMENTARY TO QUESTION NO. 105 OF 1982

HON A J HAYNES:

Mr Speaker, how much money is required for the proposed improvement?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Broadly in the order of £4m.

HON A J HAYNES:

£4m would be spent on improving facilities for liners, is that the answer I am being given?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Sir. The answer is that that would be required to improve facilities for cruise liners and ferry services.

HON A J HAYNES:

Do I understand it, Mr Speaker, that includes reclamation of the causeway where the viaduct is now?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Sir, the cost of the reclamation of the causeway would be separate. That would be over another £1m.

HON A J HAYNES:

Mr Speaker, can I be told what £4m will give us, what work, what improvements do you have in mind for £4m and what period of time will they take

MR SPEAKER:

No, we are not going to go into details now. With due respect, I think you have been given your answer. If there is anything else you want to widen on the answer, most certainly.

HON A J HAYNES:

What, generally, will the £4m produce?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Reclamation at Waterport, building of new jetties, building, car parking and full facilities there for passenger terminal.

HON A J HAYNES:

Mr Speaker, when does the Financial and Development Secretary believe that the money will be released? Is there a time-scale, a time-table?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Sir, the time-scale was April, 1981.

MR SPEAKER:

It is dependent on the development aid which has not come.

HON A J HAYNES:

I know that, Mr Speaker, but does the Financial and Development Secretary have a listing of priorities? Does he expect it to commence at any given time or is this something that he has left on the shelf to collect?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Sir, I have left it on the shelf to collect money from Her Majesty's Government.

HON A J HAYNES:

Given that there is no doubt that the delays involved in this, will the Financial and Development Secretary consider spending something far less than £4m and which will give some meagre facilities to those tourists arriving on liners? An interim thing like lavatories, a small cafe, things like that, could those be installed or put under effect now?

MR SPEAKER:

In other words, you are being asked whether an interim development or improvement should be carried out.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, certainly, if it appears that it is going to take a long time to get the project and the money off the shelf the Government will certainly look at other measures to improve the conditions at the Waterport.

HON A J HAYNES:

When will they do this, Mr Speaker?

MR SPEAKER:

No, next question.

NO. 106 OF 1982

ORAL

THE HON A J HAYNES

Further to Question 209 of 1981, will Government make the Alexander Howden Report and the proposals made by Ernest J Notcutt (Overseas) Limited available to the Opposition under similar terms and conditions as those applied in the releasing of the PEIDA Gibraltar Port Study?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

No, Sir, a distinction must be drawn between the PEIDA Gibraltar Port Study and the proposals submitted by Alexander Howden and Ernest A Notcutt (Overseas) Limited. PEIDA were appointed as consultants to the Government and it is open to the Government to make their report available as it wishes. The Howden and Notcutt documents contain commercial proposals and comments put forward in confidence and it would be wrong for the Government to disclose this information to a third party.

SUPPLEMENTARY TO QUESTION NO. 106 OF 1982

HON A J HAYNES:

Mr Speaker, can it be censored for the eyes of the Opposition since, given the importance of the proposals as regards the problem, surely an edited version could be made available to the Opposition?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

First of all, Sir, I would like to say that I have already told the House in the budget session that the Government has decided not to proceed with Commercial insurance cover for all Government buildings. The intention is that only assets vital for the running of the essential services will be insured externally. The Government will continue to provide cover for its other assets through its own fund. I think that is the first one, Sir. The second is that it really would be a totally emasculated document to present to anyone if we took out the commercial proposal because we received from an insurance company proposals which state rate for various risks and these cannot be disclosed to a third party and I think that it would be really valueless to anyone to have a document which removes all the commercial-in-confidence information in that document.

HON A J HAYNES:

Mr Speaker, can I remind the Financial and Development Secretary that in answer to question 209 he did state that "the Government would consider releasing such information in the reports as may be of public interest as soon as a decision has been taken on the insurance of its properties". As the decision has now been taken I would like the release of the information that he considers of public interest.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, when I gave that answer the Government was of the view that it would be entering into an agreement with an insurance company for the re-insurance of its assets. It has not. If it had done so, it would have been necessary to disclose to the House the terms on which this was being done and that was what I had in mind when I gave that answer but now the Government has decided not to go ahead and it would not be proper therefore to release information which could be useful to other commercial firms.

HON A J HAYNES:

Mr Speaker, does the Financial and Development Secretary agree that on this side of the House we have had none of the information available which the Government used in making its decisions as to whether to accept re-insurance or not? We have been advocating re-insurance on this side of the House. We would like to see the papers on which Government makes its decision to see if we concur in that decision or not.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, I am sure that every Opposition in the world would like to see the papers available to the Government so that it could monitor its decision. I am sorry, it is for the Government to receive proposals, take a view and to make the decisions and as much as I understand the desire of the Hon Member to see the papers I regret that we cannot agree with his request.

HON A J HAYNES:

Do I take it, Mr Speaker, that they are prejudicial?

MR SPEAKER:

Well, it is their decision.

HON J BOSSANO:

May I ask, in fact, Mr Speaker, what are the terms and conditions applied to releasing the PEIDA Study for the Port since I have not seen the PEIDA Port Study?

MR SPEAKER:

Well, it does not arise from this question.

HON J BOSSANO:

It is the terms and conditions which I am not aware.

MR SPEAKER:

You have just become aware by the way the question has been asked that the other report has been released. I accept that.

HON J BOSSANO:

Yes. But what I ask is what one needs to do to be privy to that Report.

HON CHIEF MINISTER:

Mr Speaker, I forget now the terms upon which a copy was made available to the official Opposition. If, in fact, it was meant for the Opposition as a whole then the Hon Member will have an opportunity of looking at the Report. If it was made as a request, I forget now, but I certainly have no intention of leaving out the Hon Member from any information that he could use to try and make our lives difficult.

HON P J ISOLA:

Mr Speaker, we did get two copies of the Report - the official Opposition. It was on the basis that certain areas were sensitive areas and we could not disclose at all. I am not in a position to pass it on to my friend Mr Bossano because I am not in a position to extort any undertakings. This would really have to come from the Government, I am quite happy to pass one on to him if this is the problem.

HON CHIEF MINISTER:

I am grateful to the Leader of the Opposition for reminding me. I will have to discuss the matter with the Hon Member who at all times expressed the view that he does not hold to any considered charity in connection with foreign affairs before I decide that I can give him the Report.

MR SPEAKER:

Next question.

NO. 107 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government make provision for cubicles at the Income Tax Office so that personal tax problems can be discussed privately and not publicly as hitherto?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, the counter positions in the Income Tax Department are intended for the handing in of completed tax returns and to deal with general queries. When a taxpayer has a personal problem he is seen privately and not at the counter. Moreover, matters of a private and highly personal nature are generally dealt with by senior officers who are housed on the first floor and have private offices.

SUPPLEMENTARY TO QUESTION NO. 107 OF 1982

HON A T LODDO:

Mr Speaker, but does not the Hon Member agree that a lot of private matters are in fact discussed over the counter within hearing of other people waiting in the queue and my question is would the Government make provision for cubicles without having to go to the higher official in the Income Tax Department to actually discuss their problems which might be of a minor nature but which the individual does not like to have to air in public?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, my understanding is that as soon as a matter of a personal nature arises the person making the enquiry is invited in to an office and it is not dealt with at the counter. It might be that if there were room in the present Income Tax Office it would be useful to have confessionals, if one would like to call it in that term, to take someone there and to save them going into the inner office. I accept that this might be desirable but in fact there is no room there but it is something that we could bear in mind if we were ever to move to slightly larger premises.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Sir, will Government request an Interim Report from the Commissioner appointed to undertake the revision of the Laws of Gibraltar to consider the advisability of new legislation to supersede present Ordinances where appropriate?

ANSWERTHE HON THE ATTORNEY-GENERAL

No, Sir, the Government does not consider this either necessary or appropriate.

The Commissioner's terms of reference are to produce a Reprint of the Laws of Gibraltar. As I have previously said in this House, it is not feasible for him to undertake a substantive revision of the laws.

Nevertheless, in the course of the work, which is now well under way, the Commissioner in consultation with me is taking the opportunity to bring up-to-date various provisions in the law.

A Bill to effect miscellaneous law reform amendments is now in draft. There will be more Bills of this nature before the project is completed. We also intend to promote some more substantive Bills, for example, in relation to the criminal law.

The Commissioner keeps in close contact with us. He recently spent several days in Gibraltar and was able to discuss a large number of matters with interested parties.

SUPPLEMENTARY TO QUESTION NO. 108 OF 1982

HON A J HAYNES:

Mr Speaker, I am not quite satisfied with the answer insofar as if they don't ask the Commissioner whether he thinks there is any point in revising the laws they won't be able to answer the questions that I put to them. If, as I believe, Mr Speaker, and perhaps the Attorney-General shares my view on this, a large number of our Ordinances are totally out-of-date then a revision is not going to be the answer and I think the Attorney-General should make a statement. Does he not agree with that general opinion or not?

MR SPEAKER:

The answer has been no.

HON ATTORNEY-GENERAL:

When the prospective Commissioner as he was at that stage, came to discuss this project with us, one of the points we talked about was the practicability of undertaking what is incorrectly now known as a revision as distinct from a reprint and it was decided that really that was too much to take on and that there was, I have said this before I am sure, Mr Speaker, but there was a need for a reprint.

An up-to-date reprint of the Laws of Gibraltar and a fairly urgent need. In order to achieve that result it was necessary to concentrate on that and not to undertake a much more ambitious undertaking of a revision of the laws. Of course, a number of Gibraltar's laws have been in force a long time, this is not peculiar for Gibraltar, this happens the world over, and at this stage the way in which the laws are up-dated is why the Government decided as in the case of the Banking Bill which is before the House now that that is an area where there should be a revision of the laws but it is not the task of the Commissioner, except in the rather limited attempts that I mentioned before, it is not the task of the Commissioner to undertake this.

HON A J HAYNES:

I am not suggesting that the Commissioner should become the legislature for Gibraltar, Mr Speaker. I am asking whether or not the Commissioner has been asked whether there is any point in doing a minor patch-up job when what is really required is major surgery. Have they

MR SPEAKER:

I think the answer has been given to you that it has been considered and it has been decided not to do that. I think you have been told clearly by the Hon and Learned Attorney-General it has been discussed with the Commissioner and it has been decided that it would not be worth to do that now.

HON A J HAYNES:

On a point of clarification. Has the Commissioner been consulted and has the Commissioner said that there is no need?

MR SPEAKER:

That is what the Hon and Learned Attorney-General said.

HON A J HAYNES:

That, I am afraid, is entirely in conflict with my own estimation on this.

HON ATTORNEY-GENERAL:

Well, it is clear there is no doubt about this. I thought I just said this a few minutes ago, with respect. The scope of the exercise was discussed. The possibility of doing a substantive revision was reverted to but it was decided it was too big a project and that we would limit ourselves to a reprint. I cannot agree that a reprint is a minor job, the reprint itself is a major job.

HON A J HAYNES:

Mr Speaker, I know that at the stage prior to the appointment of the Commissioner these matters were discussed. What I am asking is whether once the Commissioner has actually got down to do the work he has been questioned and the matter has been discussed again.

MR SPEAKER:

Let us get an answer to that question.

HON ATTORNEY-GENERAL:

I am sorry, Sir, I am not sure what the question is.

MR SPEAKER:

What the Hon and Learned Mr Haynes is asking is that he now accepts the fact that prior to the appointment of the Commissioner the matter was discussed. Has it been put to him since he was appointed?

HON ATTORNEY-GENERAL:

No, Sir, the decision was made before and it has not been changed since. He has not considered the matter to be changed since. I think, if I may perhaps just go on a little way, Mr Speaker, I am not sure whether the Hon and Learned Member appreciates that the work of a lawyer and a reprint lawyer is one task. The work of revising the statute law of a territory substantively is a much bigger task than just a technical task, that is why in the case of the Banking Ordinance one has an expert in the Banking Bill to advise, one has lawyers, one has, of course, the financial people but really this present exercise for the reprint of Gibraltar is not the place to undertake what the Hon Member is suggesting and frankly I am not really sure that any Government anywhere undertakes that as a single project all at once.

HON P J ISOLA:

Isn't there some value, Mr Speaker, in looking at the middle position between those two views? That is to make use of a Commissioner who is of the stature of the present Commissioner, an ex-Chief Justice of Gibraltar, to make use of him in the sense that as he looks at the laws requiring reprint and decides what has to go in the reprint, it must surely come to his notice the need in some particular Ordinances for up-dating. What I think my Hon Friend would like to see is some recommendations by him not actually revising the laws but some recommendations by him as to areas in which the Government should look at law revision because our civil law, Mr Speaker, is so old that I know it is a fantastic, it is an almost impossible task to revise. Some move could be made when you have got an expert like you have at the moment reprinting or looking at the reprints of the Gibraltar laws.

HON CHIEF MINISTER:

I can assure the Hon Leader of the Opposition that from the little I have seen of what the Commissioner is doing, he is very much taking into account that as far as he can go within his remit.

HON A J HAYNES:

Mr Speaker, then will the

MR SPEAKER:

No, we are not going to go beyond that, we are debating now. If you want to ask a question you are free to do so.

HON A J HAYNES:

A question, Sir. Will the Government now request an interim report from the Commissioner as to the advisability of this middle road? Why not in writing?

HON CHIEF MINISTER:

There is no need for it, he is getting on with the job.

MR SPEAKER:

Order, that is the end of the matter. Next question.

6.7.82

NO. 109 OF 1982

ORAL

THE HON G T RESTANO

Will Government state what is the position with regard to the appointment of a new Principal Auditor?

ANSWER

THE HON THE ATTORNEY--GENERAL

Answered together with Question No. 112 of 1982.

THE HON P J ISOLA

Sir, in view of the fact that the opening of the frontier is likely to be delayed somewhat can Government make a statement as to its attitude in relation to the temporary staff that was engaged for the police, customs, the Labour and Social Security Department and any other departments?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Mr Speaker, the following additional staff were engaged in connection with the proposed re-opening of the frontier:--

25 Police Officers
 11 Police Reservists
 21 Customs Assistant Officers
 15 Clerical Assistants

The Police Officers were employed on permanent and pensionable terms and the remainder were employed on temporary terms.

The Police Reservists were engaged for the control of car parks, but Government has now decided that they will not introduce parking charges for the time being. These officers are therefore surplus to requirements and steps will be taken to terminate their employment.

Of the 21 Customs Assistant Officers, 5 had been transferred from other Government departments and would have to be reinstated. The need for an additional officer for the manning of the Yacht Reporting Station has already been accepted. A Staff Inspection of the Customs Department is currently being carried out - this was last done in 1977 - and this may throw up the need for additional officers to cover for reliefs which were not provided for in the original inspection and are at present being covered by overtime, and for additional leave cover arising out of increased leave eligibility. Government has therefore decided that the 5 transferred officers be retained in the Customs Department pending the outcome of the Staff Inspection and in any event subject to review by the end of September. Steps will be taken to terminate the employment of the remaining 16 officers.

It is estimated that the 15 Clerical Assistants could be absorbed into the service by October/November this year as a result of promotions, resignations, etc. There already exist 5 vacancies which will be filled from this source. The remainder can in the meantime be usefully employed in carrying out a number of essential ad hoc tasks such as the up-dating of information in the Arrears Section and reviewing the service records of industrials. Government has accordingly decided to retain the services of the Clerical Assistants and review the position at the end of September.

The position of the 25 additional Police Officers is still under consideration.

Government has also decided that subject to agreement by the Staff Side, those officers whose services are being dispensed with be given priority of employment in any vacancies that may arise in the Government service between now and 31 December, 1982, provided they are considered suitable for such employment.

SUPPLEMENTARY TO QUESTION NO. 110 OF 1982

HON P J ISOLA:

Mr Speaker, I am a little confused. Could I just ask, as far as the Police are concerned, I thought from the beginning of the statement that they had all been employed permanent and pensionable.

HON A J CANEPA:

That is correct.

HON P J ISOLA:

Didn't the Minister now talk about 15 officers or am I

MR SPEAKER:

No, Reservists.

HON A J CANEPA:

There are 25 Police Officers and they were engaged on permanent and pensionable terms and 11 Police Reservists who are having their employment terminated.

HON P J ISOLA:

Mr Speaker, then with regard to the 25 Police Officers who were taken and are now permanent and pensionable, has the Government any idea of what is going to be their role in the Police Force?

HON A J CANEPA:

We are awaiting, I think, a report or I think it has just been submitted actually, a report from the Commissioner submitted at the end of last week which is still to be considered by the Government. There is also the question that the Police are now working a 42-hour week and it might be possible to consider at the same time reducing that to the 40-hour week.

HON P J ISOLA:

I don't know whether the Minister knows, what is the additional cost of retaining 25 people who are not particularly needed?

HON A J CANEPA:

I do not have the information readily available but I would imagine that a Police Officer may start at the bottom of the scale somewhere in the region of £5,000 a year, perhaps, we are talking of something in excess of £100,000 a year, of that order.

HON P J ISOLA:

Mr Speaker, as the matter is being considered I won't ask any more questions on the Police except to ask an assurance that if the Police Department is now to have 25 more Policemen than it used to have, will it be possible that they be used in things like the Keep Gibraltar Tidy campaign in the interest of the stray dogs etc, rather than in the new pronounced habit which has appeared from the extra Police Force of placing parking tickets in every single car that can be found on a yellow line in Gibraltar?

HON A J CANEPA:

It is a line of action that is to be devoutly and totally hopeful. Whether it will materialise is another matter.

HON P J ISOLA:

Mr Speaker, am I right in thinking that of all the additional staff that has been taken on by the Government on a temporary basis there are only 16 for the chop? Is that what I have heard?

HON A J CANEPA:

At this stage I said that steps will be taken to terminate the employment of the remaining 16 Customs Officers and I also said that steps were being taken to terminate the employment of the Police Reservists, so we are talking of 11 Police Reservists and 16 Customs Officers, 27.

HON P J ISOLA:

Mr Speaker, may I ask the Government if its criteria in relation to all these jobs, the criteria of efficiency and keeping the public service in an efficient manner, having accepted that criteria, having assumed that that is the criteria that the Government has based itself, then may I ask that as far as those that are to be discharged, that the Government in view of the situation, and it is no fault of theirs obviously, that the Government will give a reasonable amount of notice so that the persons concerned can find themselves some other occupation?

HON A J CANEPA:

Well, I think notice can be given according to the terms of their employment but to what extent we can go beyond that I do not know. I think the Government is a good employer and we would not wish to be harsh if we can help it.

HON J BOSSANO:

Can the Minister confirm, in fact, that all these things that he says the Government has decided, have so far been decided without consultation with the Staff Side and that the Staff Side's view has not yet been taken into account in any of these decisions?

HON A J CANEPA:

That is correct but the Government has got a problem in having to answer the questions in the House of Assembly before it can consult all the Staff Associations.

MR SPEAKER:

Next question.

NO. 111 OF 1982

ORAL

THE HON P J ISOLA

Sir, is there any particular reason why summer hours for those in Government service should continue into the middle of September?

ANSWERTHE HON THE ATTORNEY-GENERAL

Conditioned working hours, excluding lunch-breaks, are 37 per week. During summer hours, only $32\frac{1}{2}$ hours are worked each week. To be able to make up the conditioned hours at the end of the year, it is therefore necessary to increase the working week during winter to $38\frac{1}{2}$ hours per week. The combination of 39 weeks of winter hours and 13 weeks of summer hours achieves the required overall annual conditioned hours.

Summer hours are also planned to coincide with the working by Government schools of half-days. These operate immediately before and after the school summer holidays, from mid-June to mid-September.

SUPPLEMENTARY TO QUESTION NO. 111 OF 1982

HON P J ISOLA:

Mr Speaker, so the main reason is really, to coincide with the school holidays and the school summer hours, is that it?

HON ATTORNEY-GENERAL:

No, I think the main reason, Mr Speaker, is just to achieve an overall number of working hours throughout the year. I think the other matter is a factor.

HON P J ISOLA:

That is a matter of mathematical computation, I assume. But will the Government bear in mind that, of course, summer hours although possibly highly desirable are inconvenient to the public and bear in mind that really once the summer is over which is the late summer holiday in August, there is really no good reason why this inconvenience should continue into September? That is my first question.

HON ATTORNEY-GENERAL:

I would be quite happy, of course, Mr Speaker, to convey this view to the appropriate circles in Government.

HON P J ISOLA:

Mr Speaker, may I ask a second question which is a broader question and that is, will Government consider, in connection with next year's summer, if summer hours are deemed to be desirable and there is a case for that, obviously, of its own initiative getting together with private employers and other employers to see whether we can have some sort of regular summer hours for the whole of the community because at the moment the position is a bit chaotic?

HON A J CANEPA:

I see increasing notices in the press of private sector firms who are actually working the same summer hours as the Government.

HON P J ISOIA:

Mr Speaker, very few. I have seen them myself but I think, is there not something to be said for trying to get everybody or not everybody, at least a vast number of the population working the same hours. Because will the Government not agree that there is a certain amount of inconvenience and inefficiency in different sectors of the community working different hours and I would ask the Government as the Government they should perhaps initiate and coordinate policy on these matters?

HON A J CANEPA:

Well, it has not been possible to do that, Mr Speaker, until very recently, perhaps because there has been a great deal of dispute as between the Government, a certain amount of disagreement as to the extent of summer hours and the best manner in which to implement it with the Associations that hold negotiating rights for our Clerical Officers. Sometimes it has not been until the very last moment almost that agreement has been reached. In fact, on this occasion it was not that bad because the situation last year was carefully monitored and there was feedback immediately after summer hours had been worked last September and the position was found to be rather better. I think the point could be considered for the future, let me add we have also taken very careful note of complaints, if any, from the public. We have asked the Heads of Departments to be on the look-out for that and there do not seem to have been any serious complaints in working the present summer hours last year. They are being worked for the same period of time and for the same conditioned hours but in the same way as we consult in respect of summer time and in respect of public holiday, I think we could bear the point in mind and consult, say, the Chamber of Commerce.

MR SPEAKER:

Next question.

NO. 112 OF 1982

ORAL

THE HON J BOSSANO

Can Government state whether it is still intended to localise the post of Principal Auditor?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, a local officer has already been selected as designate to take over the post when the present incumbent terminates his contract in September this year.

SUPPLEMENTARY TO QUESTION NOS. 109 AND 112 OF 1982

HON G T RESTANO:

Mr Speaker, is there any truth that the post is being downgraded or it is intended to downgrade the post?

HON ATTORNEY-GENERAL:

The position on that, Sir, is that the senior grades review is at present under consideration. It would not be appropriate at this stage for me to comment on any matter in that reconsideration.

HON G T RESTANO:

Is it a fact, Mr Speaker, that the person who was appointed considering that there might be a downgrading might not in fact take up this post?

HON ATTORNEY-GENERAL:

I do not think I can speculate in any way, Mr Speaker. As I say, the senior grades review is under consideration and the matter is at that stage.

HON J BOSSANO:

Will the Hon Attorney-General agree that whether the post is filled by a locally entered member of the service or by an expatriate should be an irrelevant consideration for the grading of the post?

HON CHIEF MINISTER:

Absolutely.

HON ATTORNEY-GENERAL:

I think the Hon Chief Minister has answered that.

MR SPEAKER:

Next question.

NO. 113 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, can Government say what is the present position regarding the old Shell Petrol Station at the junction of Landport and Corral Road?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, the matter is subjudice. Proceedings have commenced and the matter is likely to be determined shortly.

SUPPLEMENTARY TO QUESTION NO. 113 OF 1982

HON A T LODDO:

Mr Speaker, can I ask how short is shortly?

HON ATTORNEY-GENERAL:

I cannot say, Mr Speaker, but the proceedings which I should explain are rather fatal proceedings, I am moving in it now.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Will Government state what steps are being taken to protect children against the meningitis epidemic currently existing in Gibraltar?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES

Mr Speaker, the Government is taking all the necessary steps to curb the current outbreak of meningococcal meningitis. These steps include:

- (i) The treatment and isolation of the patients
- (ii) The closure of the ward where the children are treated
- (iii) The administration of prophylactic treatment to immediate family and class contacts
- (iv) The closure of the school and nursery where the cases occurred, and
- (v) The surveillance of the community with a view to early diagnosis and initiation of proper therapy without delay.

SUPPLEMENTARY TO QUESTION NO. 114 OF 1982

HON G T RESTANO:

Mr Speaker, can the Minister say when the first case was identified?

HON J B PEREZ:

I think, Mr Speaker, the first case was around the 13th of last month.

HON G T RESTANO:

Will the Minister say what the surveillance consists of?

HON J B PEREZ:

The surveillance of the community I mean is that parents and relatives of the affected children have been informed of anything that may occur which they ought to report immediately to the Health Centre doctors who were briefed immediately on what the side effects and what conditions children suffering the disease actually have. The idea is in fact to also get parents to help the Public Health Department and in fact to inform us of any cases because you have cases in which parents may say: "My child has this, that and that but we do not want them to take these tablets because of the possible side effects", that is what I mean by surveillance.

HON G T RESTANO:

How many people have in fact been treated other than, of course, the ones who contracted the disease?

HON J B PEREZ:

I have not got the exact figure here with me, Mr Speaker, but what the department has done is instead of trying to ascertain and look for one carrier, what we have assumed is that all cases and all primary contacts of the affected cases have all in fact been treated. This includes not only the patient himself or herself but we have also treated close relatives, family and also all the children of that particular class who were probably in close contact with the affected child. But I have not got the exact figure.

HON A J HAYNES:

What is the likely cause or origin of this epidemic, does the Minister know?

HON J B PEREZ:

This, Mr Speaker, unfortunately, is unknown in the world what the actual cause is but I can assure the House and I can assure the public that it has nothing to do with bad drainage or swimming pools or text books or anything to do with the school. It is a germ which, unfortunately, there is no known vaccine, nobody can be immune to this particular germ, it is something that the medical experts of our world have not yet been able to discover and ascertain.

HON A J HAYNES:

Then it is not as a result of poor hygiene or poor standards of hygiene?

HON J B PEREZ:

Not at all, Mr Speaker.

HON P J ISOLA:

Mr Speaker, could I ask the Minister that having regard to the fact that this question was put down on June 28th whether he considers he has treated the House with due respect in having answered the question yesterday in the Gibraltar Chronicle before giving the information to the House?

HON J B PEREZ:

Yes, Mr Speaker, because before the question was tabled there was a meeting held between myself and the experts of my Department with a delegation from Varyl Begg. At that meeting they requested that we provided them with full information or general information in connection with this particular disease. What the Department did immediately was to prepare a paper which was in fact distributed to the whole of Varyl Begg. Following that, the newspapers were continuously or some newspapers were continuously asking questions, not only in connection with what steps the Government were facing in order to protect children but questions in general. The interview given to the Chronicle was, in fact, more or less at the same time as the question was tabled, unfortunately, it is not up to me to tell the Chronicle when to publish the article.

HON P J ISOLA:

Mr Speaker, the question was tabled a week before the article appeared in the Gibraltar Chronicle. Is the Minister saying that he gave this information which apparently all the newspapers were seeking from him so desperately and it took the newspaper a week to publish it? Is that what he is telling the House? When did he in fact give the information to the Gibraltar Chronicle?

HON J B PEREZ:

The information was given to the Varyl Begg tenants well over a week. I do not think, Mr Speaker, I have treated the House unfairly because really what appeared in the Chronicle was a full explanation of everything. The question is only asking what steps the Government are taking, I do not think I have treated the House unfairly.

HON P J ISOLA:

Mr Speaker, it is the privilege of the Minister to do what he likes. I am not complaining about dissemination of information to the Varyl Begg Estate. What I am saying is that the Minister has not treated the House with due respect in having answered the question in the Gibraltar Chronicle precisely a day before he was answering it in the House. I would have thought it would have been more appropriate for him, would he not agree, in placing an embargo until the House had been informed of the position?

HON J B PEREZ:

Mr Speaker, all I can say is that by the time the question reached my department, reached me, we had already given the information to the Varyl Begg tenants and the information was public. The public wanted to know what was going on and if I had not done so I would have been accused of not informing the public.

HON P J ISOLA:

Mr Speaker, I am not complaining it was published. I am complaining with the apparent move on the part of the Minister to pre-empt the question in the House by having something published about the question and his answer the day before. Will he give us an assurance that this is not the sort of practice he is going to follow generally whenever questions are put to him?

HON J B PEREZ:

Mr Speaker, I cannot give an assurance to something that I do not consider that I have done wrong. As far as I was concerned the information that I gave to the press was the information which the public were entitled to have and again, I will reiterate it is not for me to tell the Chronicle when they publish information that is given by Government.

HON P J ISOLA:

Does he not consider it odd it should appear a day before he answers questions on the subject in the House?

HON J B PEREZ:

Mr Speaker, I would have preferred if it had appeared some time last week, but as I say, I am not responsible for the Chronicle.

MR SPEAKER:

Next question.

THE HON A T LODDO

Mr Speaker, before I ask this question can I say that my question was not prompted by the meningitis scare, my question, in fact, I had thought of about a month ago and it has nothing to do with the meningitis scare, the fact that some paper connected it with it has nothing to do with me.

Mr Speaker, how often is the water in the swimming pool at Camp Bay, and the paddling pools at Camp Bay, Sandy Bay and Varyl Begg, (a) changed and (b) subjected to analysis?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES

Mr Speaker, these pools are "continuous flow" ones which ensures that fresh water is constantly circulating in the pools.

Despite this, the pools are emptied and cleaned prior to refilling on all working days in order to remove silt, papers, etc which tend to sink and are not carried away by the "continuous flow" process.

Samples are taken for bacteriological analysis on a weekly basis during the bathing season. The sea water in the areas from which the pools are fed is also similarly analysed on a weekly basis and, for monitoring reasons, is also sampled and analysed at fortnightly intervals during the non-bathing season.

SUPPLEMENTARY TO QUESTION NO. 115 OF 1982

HON A T LODDO:

Mr Speaker, I cannot agree being a regular user not of the paddling pool but of the beach at Sandy Bay. I cannot agree with the Minister that the pools there are cleaned out daily. In fact, my question was prompted by the fact that the water was very, very muddy. Can I further ask the Minister whether in fact what he has said, which I do not readily accept, but whether what he has said applies similarly to the Montagu Seabathing Pavilion and the swimming pool at Eastern Beach?

HON J B PEREZ:

In fact, I will go further. The two pools, Mr Speaker, which have been outlined by the Hon Member, in fact, are cleaned and emptied every single day including weekends. Let me add that as far as my department is concerned we are not responsible for the actual filling or emptying of the pools. What we are responsible for is the analysis of the water. But let me take this opportunity, Mr Speaker, of making public that I seek the cooperation of parents and users of these particular pools and I would urge them to help us on three particular points. One is the dropping of litter in the actual paddling pools and swimming pools, secondly to educate and train their children to use the toilets instead of the pools and, thirdly, not to use the paddling pools or the swimming pools for the washing of their feet before going home.

HON P J ISOLA:

May I ask, what system is used to check that the water is changed every day?

HON M K FEATHERSTONE:

Sir, it is not a question of the water being changed every day as my Hon Colleague has said. There is a pump which is continually bringing in fresh water and there is an overflow pipe which is taking water out. Therefore, the water in the pool, at the rate the pump pumps water in, should change itself four or five times in the day. Plus the fact that it is completely emptied in the early morning and completely refilled by about 8 o'clock in the morning.

HON P J ISOLA:

Mr Speaker, can I ask the Minister to visit the paddling pools in Sandy Bay and see whether that is correct?

HON M K FEATHERSTONE:

We will do so.

HON P J ISOLA:

Can I ask, if the water is changed every day ought not the water to be analysed every day and not on a once weekly basis because all the Minister is getting is analysis of the water on one particular day in the week and the other six days, for all we know, could be disease ridden.

HON J. B PEREZ:

The information I have from my department, Mr Speaker, is that since these pools are continuous flow ones, since they are emptied and cleaned every day, only a weekly analysis is required. But I shall take the matter up with my department following the suggestion by the Hon the Leader of the Opposition and I would ask them again if in fact we should carry on doing it on a weekly basis or more often.

HON P J ISOLA:

Mr Speaker, as the health of children is so important in our community and as children inevitably have to congregate, will both Ministers not agree with me that there is a particular need and a particular importance in close supervision of all the paddling pools all over Gibraltar and in analysis of waters on a frequent basis in order to prevent disease?

MR SPEAKER:

I think, in fairness to the Minister, he has said that he will go into the matter.

HON P J ISOLA:

Yes, Mr Speaker, but I would like both Ministers to go into the matter because it is very easy to tell the House what is done but if proper supervision is not being carried out, we do not know whether it is or it is not being done. That is why I would urge both Ministers to take a look during the summer months because it is the health of a lot of children that is at stake.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Further to Question 293 of 1981 will Government states its reasons for not appointing a Select Committee to investigate the matters referred to?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES

Sir, the Government is satisfied that the Advisory Council on the Misuse of Drugs as currently constituted was the correct forum in which to discuss the matters referred to and therefore discarded the suggestion that a Select Committee should be appointed to investigate such matters.

SUPPLEMENTARY TO QUESTION NO. 116 OF 1982

HON A J HAYNES:

Mr Speaker, is it the opinion of the Government that a Select Committee would have been a waste of time or not?

HON J B PEREZ:

Government's view and my own particular view is that a Select Committee was not appropriate to consider the particular matters that are being referred to. The Government preferred, and I share that personally, in fact, to have a Drugs Advisory Council which I would add is working extremely well. It is composed of experts.

HON A J HAYNES:

I can understand the decision of the Government but I do disapprove of the references to the way

MR SPEAKER:

No, we must ask questions, we are not going to debate. You disapprove, what is your question?

HON A J HAYNES:

My question is, is the Minister still of that view that it would have been a waste of time or is he going to withdraw that?

MR SPEAKER:

He has given you the answer already. He said that this is the best way of tackling the problem.

HON A J HAYNES:

I accept that, Mr Speaker, but there is also an indication that a Select Committee would have been a waste of time.

MR SPEAKER:

Perhaps.

HON A J HAYNES:

I would like clarification on that point. Is that still his view?

HON J B PEREZ:

My view is that the matter is better dealt with by an Advisory Council rather than a Select Committee.

HON A J HAYNES:

I do not think my question has been answered, Mr Speaker. Is the Government of the view that this is a waste of time or not?

MR SPEAKER:

No, he does not have to answer that. He has given you an answer as to how he best feels that it should be dealt with. Next question.

NO. 117 OF 1982

ORAL

THE HON G T RESTANO

Will the Minister for Medical and Health Services state whether the post of Director of Medical and Health Services was vacated in June and furthermore will he say why no new appointment has yet been made?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES

The Director of Medical and Health Services formally retired in June but has agreed to be re-engaged on a temporary basis until his successor can take up his appointment. Surgeon Captain Murchison is now on "retirement" leave until 16 July and Dr Montegriffo is acting in the post for this period.

Applicants for the post were interviewed on 28 May but the selection process has not yet been completed.

SUPPLEMENTARY TO QUESTION NO. 117 OF 1982

HON G T RESTANO:

Can the Minister say why it has not yet been completed?

HON J B PEREZ:

Mr Speaker, I am not responsible nor answerable in this House for the Public Service Commission.

HON G T RESTANO:

But, surely, the Minister is responsible for his Department, surely he must be concerned about the fact that no appointment has yet been made if an interview was made on the 28 May. Why has no appointment been made, is it that further advertising has had to be made to get more applicants? What is the reason?

HON J B PEREZ:

Mr Speaker, of course, I am concerned and I have made by views known to the relevant authorities. Let me add that I have received an indication that the appointment will be made before the end of this week.

HON G T RESTANO:

If that is so, Mr Speaker, when can we expect to have the new Director in Gibraltar?

HON J B PEREZ:

Mr Speaker, since I myself do not know who the new Director is going to be yet because, as I said, I am not responsible for the Public Service Commission, I cannot say when whoever is appointed will take up his post because it may well be that the selected applicant has informed the Public Service Commission that he cannot take up his post until within two months, three months, I do not know.

MR SPEAKER:

Next question.

6.7.82

NO. 118 OF 1982

ORAL

THE HON G T RESTANO

Mr Speaker, is it still envisaged that the introduction of International Direct Dialling will commence on the 1st October, 1982?

ANSWER

THE HON THE MINISTER FOR MUNICIPAL SERVICES

Yes, Sir.

6.7.82

NO. 119 OF 1982

ORAL

THE HON G T RESTANO

Has Government considered the advice of the Opposition given during the Budget Session not to impose any charges for local telephone calls following the introduction of IDD and if so will the Government state whether it has decided to follow that advice?

ANSWER

THE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, the matters raised in this question are dealt with in a statement on the introduction of IDD which I have given notice and which I am making later in these proceedings.

THE HON G T RESTANO

Does Government not consider that its telephone bills of, over £100,000 per year for its own Departments is excessive and would it take steps to effect economies?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, the Government is conscious of the need to maintain effective control over all departmental costs including telephone bills. It does not consider £100,000 excessive. Nevertheless, it is looking at ways of additional control with the introduction of International Direct Dialling.

SUPPLEMENTARY TO QUESTION NO. 120 OF 1982

HON G T RESTANO:

What sort of matters is Government considering?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Only specified telephones will have access to International Direct Dialling. Secondly, to facilitate local calls pay boxes are being installed in Departments.

HON G T RESTANO:

Is this for international calls?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

To facilitate local calls pay boxes are being installed in various Departments.

HON G T RESTANO:

So that means that the Government intends to charge for local calls?

MR SPEAKER:

We will wait for the statement.

HON P J ISOLA:

Is that why we are going to be asked to vote a lot more money for coin boxes, the intention of the Government to instal pay boxes in Government Departments?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

It is not merely for Government Departments, there is also a greater need for public coin boxes as well.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Sir, further to Question 297 of 1981 will Government undertake to offer financial or other relief to all those suffering from aural pollution in the vicinity of King's Bastion Generating Station in view of the slippage in bringing the new engines to harness?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, Sir, it is not considered that the current level of aural pollution or the fact that there has unavoidably been several months slippage in achieving the improved conditions to which I referred on 17 December last in supplementaries to Question 297, would justify any form of relief to the tenants of premises in the neighbourhood of King's Bastion.

SUPPLEMENTARY TO QUESTION NO. 121 OF 1982

HON A J HAYNES:

Mr Speaker, is the Minister in a position to state whether or not the aural levels presently at King's Bastion Generating Station do in fact form a substance of a nuisance, were it not for the legal protection Government would be responsible for the removal of it?

HON DR R G VALARINO:

Mr Speaker, Sir, the only way I can answer that question because I have not taken readings of aural levels but I have spoken to various people in King's Bastion especially of late and they have found that aural levels have decreased considerably. In fact, to such an extent that they take it almost as part of life and they really feel the levels have been reduced by as much as two-thirds of what they were initially.

HON A J HAYNES:

Mr Speaker, my information from some of those who live in that area is that it is still extensive. Would the Minister undertake to test the aural levels for pollution at King's Bastion Generating Station?

HON DR R G VALARINO:

Mr Speaker, Sir, if this is viable and practicable I shall do so.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Will Government state whether the two sets at the Waterport Power Station were commissioned on the due dates ie 12th May and 19th June, and if they were would Government explain why the Station is not now operating?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, Sir, the House may recall that during the course of the debate at budget time I reported that there had been some slippage on the contract and that the engines at Waterport Power Station were not expected to be in service until later on in the year. In fact I said that the anticipated time would be about September. The two dates mentioned in the question refer to the contractual dates but, as is usually the case with contracts of this nature, which are based on very tight programmes, some slippage is inevitable in the nature of things. Contractors can be affected by such things as delays in shipping and breakdowns in vessels, with consequent shortages of materials and difficulties with sources of supply. Current reports on progress at the site are quite favourable and it is expected that the engines will be available within this revised time-table.

SUPPLEMENTARY TO QUESTION NO. 122 OF 1982

HON G T RESTANO:

Was there any penalty clause, Mr Speaker, in the contract with the contractor?

HON DR R G VALARINO:

Mr Speaker, Sir, there was a penalty clause included in the agreement with the contractor. However, a review of contractual implications cannot be undertaken until completion when contractors claims for extension to contract time can be fully assessed.

HON G T RESTANO:

Can the Minister say what this is costing us? In not having those sets commissioned when they should have been commissioned?

HON DR R G VALARINO:

Mr Speaker, Sir, with all due respect, I think that this question is not within the ambit of the initial question.

HON G T RESTANO:

Well, Mr Speaker, may I put it this way? The House was told that the sets would be commissioned by a certain date. Now we are being told that they will not be commissioned by that date, that they will be commissioned four months later

MR SPEAKER:

I think in fairness to the Minister, it is not now that you were informed, you were informed at Budget Time that there had been a slippage.

HON G T RESTANO:

Well, he said so now.

MR SPEAKER:

No, I think he has referred in his answer to the fact that he had made it known to the House that there was a slippage at Budget Time.

HON G T RESTANO:

May I ask, Mr Speaker, now, whether the Department has had consultations with the Union as to how the Station is going to be run?

MR SPEAKER:

No, under no circumstances.

HON P J ISOLA:

Can I just ask, are the recent widespread power cuts that we had due to the fact that this Station is not in operation?

HON DR R G VALARINO:

Mr Speaker, no, Sir. We have had difficulties with at least two major engines in King's Bastion North apart from that we are doing regular maintenance of another two engines in King's Bastion North and these are the reasons why we have had power cuts of late.

HON P J ISOLA:

Is the Minister aware, Mr Speaker, that 33 months have passed since the Chief Minister stated in this House that we would have a 5 megawatt generator in operation within 18 months and is the position of the Minister that he still cannot give us a date when this Power Station will be fully operational?

HON DR R G VALARINO:

Mr Speaker, Sir, in reply to the question by the Hon Mr Restano, I think the Hon Mr Isola begs the questions. I said at the time of the Budget debate and I still feel that the anticipated time would be about September and this is, I feel, what the Hon Member asked.

HON P J ISOLA:

That means, Mr Speaker, that it will be 36 months almost to the day since we were promised one in half that time? Does he consider that a satisfactory situation?

HON DR R G VALARINO:

I feel that what is satisfactory is that the Government has taken the decision to build a new Generating Station with adequate capacity and facility for the needs of Gibraltar and that the Government has very much at heart the need of electricity in Gibraltar as a whole.

MR SPEAKER:

Next question.

NO. 123 OF 1982

ORAL

THE HON G T RESTANO

Does Government intend to enforce the City Fire Brigade and Fire Services Ordinance 1976 (No 19 of 1976), amended in March by Government majority, whereby all private dwellings are required to have Fire Extinguishers installed?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, Sir, Government intends to enforce the City Fire Brigade and Fire Services Ordinance, as amended in March, 1982, once the necessary Regulations have been made under the Ordinance.

SUPPLEMENTARY TO QUESTION NO. 123 OF 1982

HON G T RESTANO:

So that will mean that every private dwelling will be required to have fire extinguishers installed, is that correct and will it be enforced?

HON DR R G VALARINO:

Mr Speaker, Sir, the amendment to the Ordinance was an enabling amendment which empowered regulations to be made to require fire fighting equipment to be kept in private premises. The Regulations are being drafted by the Attorney-General, Sir. What Mr Restano has said will obviously follow once the regulations are made.

HON G T RESTANO:

May I know how the enforcement is to be carried out?

HON ATTORNEY-GENERAL:

Can I just clarify a point? The Regulations are with me for drafting, I cannot say I have started drafting them yet. They are on the legislative programme for drafting and I would have to look at the matter again and come back to the Hon Member on the point he has just raised.

HON G T RESTANO:

On the enforcement, but does not the Minister know how?

HON ATTORNEY-GENERAL:

I do think that is really, if you like, the nuts and bolts of the details of the Regulations. Frankly, I am not at that stage and I can look into it and come back but I think it is details rather than the policy.

HON G T RESTANO:

What I want to know, Mr Speaker, is, are Government officials going to start entering premises of private people looking round? Is that what we can expect?

HON ATTORNEY-GENERAL:

With the Hon Member's indulgence I will look into the matter and report back to him.

HON P J ISOLA:

Does Government propose to make private tenants pay for that which Government tenants receive free of charge? Silence. Does Government not know whether it will make private tenants pay for that for which Government tenants receive free of charge?

HON DR R G VALARINO:

Mr Speaker, Sir, if I remember rightly the Ordinance which was amended in March made it necessary for landlords to instal fire fighting equipment.

HON P J ISOLA:

That is not the case. I am sure the Hon and Learned Attorney-General will confirm that is not the case.

HON ATTORNEY-GENERAL:

Mr Speaker, all I can say is the enabling powers of the Ordinance allow for the charges to be laid at somebody's door, as it were. We are at that stage, as I say. It now remains to draft the details of the Regulations. I am just not in a position to give the answer straight away but I can provide the information.

HON P J ISOLA:

Can somebody then tell me whether the Government has yet decided as a matter of policy that they will make a private tenant pay for that for which a Government tenant does not pay?

HON ATTORNEY-GENERAL:

As I say, Mr Speaker, the Government will wish to see the drafted Regulations. No, I do not think they have decided that yet, they want to see what officials bring forward by way of draft Regulations before they decide that.

THE HON J BOSSANO

Can Government state the number of apprenticeships available in the public sector this year, the number of applicants and what alternative employment or training it is planned to offer to unsuccessful applicants?

ANSWERTHE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Mr Speaker, the number of apprenticeships being offered in the public sector this year is 21.

102 applicants have sat the Apprentice Entry Exam, but it is not yet known how many have been successful.

As was done last year, it is intended to offer one year's basic training in the construction trades, at Landport Training Centre, to applicants who are successful in the examination but to whom it is not possible to offer an apprenticeship.

With regard to employment for unsuccessful applicants for apprenticeships, the Youth and Careers Service of the Department of Education will continue its unceasing efforts with employers to find openings in which youngsters can be placed. The very good work being done in this respect is reflected in the number of registered unemployed youths which stood at 110 in December, 1981, had been reduced to 29 at the end of May, 1982, and now stands at 51. In fact, during this period 178 youngsters have been found employment.

SUPPLEMENTARY TO QUESTION NO. 124 OF 1982

HON J BOSSANO:

Mr Speaker, is the Government then saying that it is satisfied that the provisions that it made last year for the basic training in the construction trade have proved a success and that therefore they do not need to go beyond that?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I think it is a bit early to say whether it has proved a success because last year there was not any incentive at all and the incentive was introduced much later during the year. We hope to gauge how successful it is this year now that the incentive is known but the department has other plans in this connection for the training of youngsters which I am not prepared to give here without first consulting my colleague.

HON J BOSSANO:

This incentive, Mr Speaker, that the Hon Member is talking about is the payment of £10 a week while the people are undertaking the training, is that correct?

HON MAJOR F J DELLIPIANI:

Yes, Mr Speaker.

HON J BOSSANO:

Does the Minister not know that in fact in the United Kingdom it is common practice to pay school leavers who are unemployed what we would call in Gibraltar the non-householder rate of supplementary benefits and that in fact it would be considered a ludicrously low incentive to expect people to be interested in working for £10 a week? Does he not think that this reflects the United Kingdom position that I have just said?

HON MAJOR F J DELLIPIANI:

Sir, I am trying to deal with this question as the finances of Gibraltar stand, we have not got the resources that the United Kingdom has.

HON J BOSSANO:

Does the Minister not accept that it is a Government responsibility to organise the economy of Gibraltar in such a way that there is employment available for school leavers and that if the Government is failing to do this, the responsibility of supporting them should not fall on their parents once they have reached school leaving age?

HON MAJOR F J DELLIPIANI:

I think that is, Mr Speaker, with respect, out of the context of the question. The question does not refer to the economy of Gibraltar.

HON J BOSSANO:

Mr Speaker, the Hon Member has opened the question, surely, by talking about the resources of Gibraltar, I have done it as a supplementary in following the answer he has just given me. I would ask the Government whether in fact as a matter of policy, as a matter of political philosophy, they accept that it is a Government responsibility to provide education, training and employment for people once they leave school? Is that the philosophy to which they subscribe or not?

HON CHIEF MINISTER:

May I intervene here and say that I am sure that all western countries abide by philosophies that they cannot implement as matters of Government.

HON J BOSSANO:

Mr Speaker, the Hon and Learned Member must recognise that whether it might be difficult in implementing the philosophy, the philosophy is not there in the first place. There is no hope of doing it and I am trying to establish whether the Government is committed to a

programme of providing jobs for school leavers, hopefully for all school leavers, but certainly that the objective of Government is to organise the employment market in such a way that there are opportunities for either jobs or training for people when they leave school. Is that the objective of Government or not?

HON CHIEF MINISTER:

The objective of Government must be to provide the best possible services to all the community and we have not got a determined philosophy on that, it is pure practical good government to provide that if it is possible. The Hon Member is not unaware of quite a number of other factors affecting the economy of Gibraltar which has been taking the time of the Government and everybody concerned of vital issues and which affect very seriously the economy before the Government could commit itself to a policy like that. I share the aim entirely, of course, we do, I share the aim that everybody should have a proper place to live in and a proper place, I won't say good cars because I think everybody has one, but I certainly say that we share that but the objective is one thing and the practical implementation is another.

MR SPEAKER:

Next question.

THE HON P J ISOLA

Sir, will Government consider:-

- a) negotiating with local banks in order to allow pensions to be paid where appropriate by way of bankers orders
- b) making use of the Key and Anchor premises for the payment of pensions

and thus ameliorate the situation whereby rather large queues form at the Department of Labour and Social Security?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Mr Speaker, with regard to (a), this is something to which attention is being given. Arrangements are already in hand for the Department of Labour and Social Security to have its own bank account. In due course it is hoped to make a start on paying at least some beneficiaries by direct credit to their accounts, with a view to reducing the number of beneficiaries calling at the department to receive payment in cash.

The second suggestion - ie making use of the Key and Anchor premises for payment of pensioners - is also being considered.

THE HON J BOSSANO

Can Government state what is now the likely transfer date of the Gibraltar and Dockyard Technical College to the Gibraltar Government?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Mr Speaker, it is not possible to give a date for any transfer of management for the Gibraltar and Dockyard Technical College from MOD to Gibraltar Government.

There are several matters which need to be resolved before the transfer can be effected. These include administrative arrangements, transfer of buildings and land, running expenses and other related factors which are still under consideration.

SUPPLEMENTARY TO QUESTION NO. 126 OF 1982

HON J BOSSANO:

Would I be correct, Mr Speaker, in deducing from that answer that there is no likelihood of the transfer taking place then for the next academic year, the one starting in September?

HON MAJOR F J DELLIPIANI:

I can definitely say yes, that there won't be a transfer in September.

HON J BOSSANO:

Would the Hon Member agree with me that it would be undesirable that the transfer should take place in the middle of the year? That is that the ideal transfer should be one that coincides with the opening of a new academic year for the reasons that he has given about administrative arrangements and so on. Does he agree that that is a desirable objective?

HON MAJOR F J DELLIPIANI:

Desirable yes, but if we can do it sooner and it coincides with a term we would do it sooner.

HON A T LODDO:

Mr Speaker, in these negotiations is Government pressing for the College to have access to the sea as hitherto?

HON MAJOR F J DELLIPIANI:

I am not aware because I am not involved in negotiations over land.

HON A T LODDO:

Mr Speaker, if I could clear this matter up. I have been given to understand that it is the intention to fence off the College from the sea so that the College will not have direct access to the sea on the side so could I ask the Minister in these negotiations to ensure that the College will continue to enjoy the facilities it has at present?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I think this is a matter that will have to be looked into in connection with the transfer of land.

HON A T LODDO:

Mr Speaker, can I ask, who is actually conducting these negotiations?

HON MAJOR F J DELLIPIANI:

The Attorney-General.

MR SPEAKER:

Next question.

NO. 127 OF 1982

ORAL

THE HON J BOSSANO

Will Government consider altering the system of grants for further education this year to ensure that all school leavers who obtain the minimum entrance requirements to qualify for a statutory grant in UK will be able to obtain a grant in September?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Mr Speaker, as I indicated in answer to a similar question in July, 1981, the Government does not propose to change present legislation to enable any students who obtain the minimum entrance requirements for admission to an establishment of Higher Education in the UK to be given a statutory grant in Gibraltar. At the present time the Educational Awards Regulations provide for minimum academic standards, based on Advanced Level results of the General Certificate of Education, for a mandatory award to be granted in Gibraltar to enable a student to pursue a degree course in the UK. This system has been working well for some years.

SUPPLEMENTARY TO QUESTION NO. 127 OF 1982

HON J BOSSANO:

Mr Speaker, that is a matter of judgement whether it has been working well. Can I ask the Member whether he accepts that in fact the system that he is so proud of gives less opportunity to school leavers in Gibraltar than their equivalents in UK have to obtain higher education? Is this a fact or is it not a fact?

HON MAJOR F J DELLIPIANI:

Mr Speaker, whether it is a fact or not a fact I am not going to change the regulations. Quite apart from the educational merits of ensuring satisfactory academic standards before granting scholarships, it should be noted that any change in policy along the line suggested in the question will result in a significant increase in current expenditure on scholarships and that all students gaining a place at University/Polytechnic in the United Kingdom would then be given an award. Establishments of higher education in the United Kingdom are desperate to recruit students at the present time and some Universities/Polytechnics accept students with very minimum standards in their Advanced Level examinations in order to boost in Government figures to attract relevant grants from University Grants Committee. This results in mediocre standards in some cases and a high wastage something which Gibraltar cannot afford in relation to the existing Scholarship Fund.

HON J BOSSANO:

Mr Speaker, is the Hon Member aware that that invalid and fallacious argument which has been used since 1973, has in fact been proved by the performance of people that his department has considered mediocre who have done brilliantly subsequently one of whom was recently in Gibraltar and hosted a Civic Reception? Is he aware of that? At his own expense, I may say.

HON MAJOR F J DELLIPIANI:

Mr Speaker, there is always the exception that breaks the rule.

HON J BOSSANO:

And then his philosophy as Minister for Education, Mr Speaker, is, that he would rather squash the exception that breaks the rule and deprive one brilliant Gibraltarian of an opportunity for further education in order not to give possible opportunities to what he considers to be mediocre students? Is that the position? Mr Speaker, would the Hon Member not agree that irrespective of the fact that I have been raising this every year and I intend to do so for as many years as I am in the House, the increasing difficulties

HON CHIEF MINISTER:

On that side.

HON J BOSSANO:

On this side, yes, when I am overthere I will do it myself. I hope that it won't require my having to be over there to get it done, Mr Speaker. Would he not agree that the difficulties that we are facing in the employment market enhance the attractions of being able to give more people the opportunity to go and study abroad and possibly find employment abroad with better qualifications? Does he not agree that that is a factor new in Gibraltar because we are facing increasing unemployment, which enhances the attraction of the system I have been urging him to adopt for eight years?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I do not agree.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Further to Question 300 of 1981 will Government make a statement regarding their alternative plans for re-habilitation?

ANSWERTHE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Mr Speaker, the purpose of the training and treatment of convicted prisoners shall be to encourage and assist them to lead a good and useful life. These are the objectives of the British Penal System which we follow.

The present regime in our Prison is geared to try to achieve these objectives. I say 'try to achieve' because the final rehabilitation of a convicted prisoner is a very long term matter which is influenced by a whole spectrum of socio-economic factors.

The training of prisoners is encompassed in a programme of work and learning. Work involves a steady flow of labour, both intra and extra mural. Currently inmates are performing work for the Public Works Department in the form of clearing areas in the Upper Rock normally used by picnickers, as well as two cemeteries. They have also removed overgrown foliage and white-washed road kerb-stones. This work is of a recurrent nature.

In the very near future inmates will be trained in four basic construction trades, that is, carpentry, plumbing, bricklaying and painting. A Prison Officer has undergone training both locally and in the United Kingdom and is now virtually ready to commence the training programme.

On the aspect of treatment of inmates, the regime caters for different classifications which the inmate attains through good industry and behaviour. 1981 saw the introduction of a Special Wing to which all prisoners who have served over a year in Prison and who are considered by the Superintendent to be of good behaviour are eligible and may enjoy extra privileges.

Physical education also forms part of the regime and inmates attend the Garrison Gymnasium twice weekly. There are plans for them to attend the Nuffield Swimming Pool during the summer season where they will be taught how to swim and also life-saving. The Government is considering embarking on the creation of facilities for physical education within the precincts of the Prison.

As can be seen from the above the Prison regime is strictly geared to the rehabilitation of the offender. Alternatives to the current rehabilitation programme will be carefully considered and put into effect once other penal systems develop new ones.

The privileges and rights of remand prisoners are governed by existing regulations which make no distinction between the standard of accommodation to be provided for convicted and remand prisoners. Once facilities are improved within the detention area of the Prison the question of up-dating the privileges of remand prisoners may be looked into. The ones currently in force are quite adequate.

It is now known that no funds will be provided by ODA to construct a new Prison. The Government have appointed an Ad Hoc Committee which is looking into the question of producing feasible plans to improve the existing facilities. The Committee has met on a number of occasions and has already studied drawings submitted by the architects. They have also discussed proposals put in by the Prison Council, the Chairman of the Prison Board and the Superintendent. These proposals are currently being studied.

SUPPLEMENTARY TO QUESTION NO. 128 OF 1982

HON A J HAYNES:

Mr Speaker, in answer to question No 300 of 1981 I was told that: "If the aid submission failed, consideration would be given to the implementation of alternative plans for rehabilitation of the existing facility". I took that to mean that these alternative plans already existed. If they do exist, what are they?

HON MAJOR F J DELLIPIANI:

Alternative plan. I have just given you the answer. The funds are not there, we are now discussing it.

HON A J HAYNES:

But there are no alternative plans. They have now appointed an Ad Hoc Committee, am I correct to think that there were no alternative plans in existence, they are now being put forward? Is that a correct assumption?

HON MAJOR F J DELLIPIANI:

The correct assumption is that we needed a new Prison, ODA have not given us the money and we have a Committee, it is about six months old I reckon, which has been studying different plans and drawings and evidence from different people as to how to make the best use of the present Prison with certain modifications which will be, we hope, cost effective in terms of the end project.

HON A J HAYNES:

Mr Speaker, in my question I asked at one stage: "What are the alternative plans for rehabilitation that the Minister referred to in his answer as a proviso if and when ODA is not granted?" I was told: "Sir, I am not prepared to disclose them at this stage of the proceedings". What are they? Do they exist or don't they?

HON MAJOR F J DELLIPIANI:

I have just said it in my last paragraph. There is a Committee looking into it.

HON A J HAYNES:

Mr Speaker, I am afraid that does not answer my question.

MR SPEAKER:

I think the answer is it is being considered and in due course you will be told.

HON A J HAYNES:

Mr Speaker, am I correct in assuming that the answers to Question No. 300 were misleading?

MR SPEAKER:

I completely and utterly agree with you, you are no further than you were then but I do not think that Government is in a position now to tell you what you want.

HON A J HAYNES:

Am I correct, Mr Speaker, in assuming that in answer to Question No. 300 in December of last year I was lead to believe that these plans existed and for some reason or other I was not being told and now I am being told they are now going to be made up? There was nothing in existence in the time of the question?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I mentioned it. We have the plans which the Committee is studying, there are a number of options and we are studying which is the best option.

MR SPEAKER:

Next question.

NO. 129 OF 1982

ORAL

THE HON P J ISOLA

Sir, can Government state whether there is a limit imposed administratively on the number of taxi licences that can be issued and if so whether this limit is in fact fully taken up?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Sir, the limit imposed administratively is 112 taxi licences, all of which are at present taken up. The Transport Commission will review the situation as and when circumstances arise.

SUPPLEMENTARY TO QUESTION NO. 129 OF 1982

HON P J ISOLA:

Mr Speaker, am I wrong in thinking that in fact there were 115 taxi licences at one time? There are now 112 and there are 3, in fact, that are not taken up.

HON H J ZAMMITT:

According to my information, Mr Speaker, I am informed that all the licences of 112 are at present taken up.

MR SPEAKER:

You are being asked whether the number is 115.

HON H J ZAMMITT:

I do not know, the information I am given is that it is 112 all of which are taken up. I am not aware that there were 115 and there are 3 not taken up.

HON P J ISOLA:

Can I ask the Minister to inquire with regard to one particular licence that was taken away because the taxi driver concerned was convicted in the United Kingdom, I believe, in relation to a drugs offence? Has that licence been given to somebody else?

HON H J ZAMMITT:

I am afraid I am not aware of that, Mr Speaker, but if the Hon Member will allow me I will inquire into that and I will let him know, but I am not aware.

HON CHIEF MINISTER:

Mr Speaker, my recollection is that there were 113 never 115 and, in fact, I think he is right in the question of one having been lost by those circumstances, whether it has been given or not I do not know.

HON P J ISOLA:

Could I ask the Minister, Sir, to inquire into that and possibly suggest to the Transport Commission, they might consider granting if, in fact, the limit was 115 they might consider granting the licences that are not taken up to people who apparently have been victimised by taxi owners for having had the temerity to apply for a taxi licence for themselves?

HON H J ZAMMITT:

I will certainly inquire, Mr Speaker. The essence of the question, of course, did not lead me to suspect that the Hon Member was after any information but I will certainly look into it.

HON P J ISOLA:

Mr Speaker, will the Minister, if that is so, and the reason I asked the question was really to find out whether in fact there were more licences that have not been issued but were available and to ask the Government to move on what appears to me to be occurring in that area of unfair treatment of people whose livelihood is the driving of a taxi?

HON H J ZAMMITT:

I will certainly look into it, Sir.

MR SPEAKER:

Next question.

NO. 130 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government legalise Citizen's Band on similar lines to the UK?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Sir, the Wireless Officer has been in correspondence with the relevant authorities in the United Kingdom and is currently studying the implications of introducing Citizen's Band Radio in Gibraltar. When this study has been completed the matter will be submitted to the Government for consideration.

SUPPLEMENTARY TO QUESTION NO. 130 OF 1982

HON MAJOR R J PELIZA:

Mr Speaker, does the Minister have any idea of when that will be?

HON H J ZAMMITT:

When we get a reply from our investigations in the UK, Sir.

HON MAJOR R J PELIZA:

Which is, six months, six years?

HON H J ZAMMITT:

Well, it depends how rapidly UK react, Mr Speaker.

MR SPEAKER:

Next question.

NO. 131 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government consider as an incentive for day trippers coming from Tangier negotiating with the operators of services between Tangier and Gibraltar a reduction of £10 in the return fare for day trippers from Tangier and give some assistance in order to achieve this?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Sir, in the light of the continuation of a closed frontier situation Government will consider what measures, if any, can be taken to further assist the Tourist industry.

SUPPLEMENTARY TO QUESTION NO. 131 OF 1982

HON MAJOR R J PELIZA:

Sir, from this particular question of encouraging people to come over from the other side of the Straits because the fare is more attractive, will the Minister address himself to that particular question?

HON H J ZAMMITT:

Mr Speaker, there already exists reduction for day excursionists within the Bland Group of companies both on the Viscount and on the Mons Calpe for day excursionists in groups. The Hon Member may have noticed that only yesterday, I think it was, there was an article in the Chronicle whereby Trans Tour had reduced the fare from £20 to £13 for day excursionists. A move is being made in that direction. This has been mooted before, this particular direct subsidy but one has to be very careful and we are warned of being careful in the manner, if ever we were to do this, in not subsidising foreign operators so one would have to be very, very careful how one would have to do this. It is a matter which we certainly will look at, Mr Speaker. We have looked at it in the past, I am afraid, we were not at all very encouraged by the reports we received from the people affected.

HON P J ISOLA:

Mr Speaker, may I ask the Minister, having regard to the rather serious situation brought about by over-stocking and other matters, doesn't the Minister recognise the need to take some urgent measures, this is one of them, to stimulate people coming into Gibraltar on a daily basis during the present tourist year?

MR SPEAKER:

I think you are pre-empting the next question. With due respect, let us wait for the next question.

NO. 132 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government implement short term measures to stimulate trade in Gibraltar during this summer and in this connection will they launch a summer campaign to attract visitors from Morocco during July and August?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Sir, the Tourist Office will continue with its sales visits to Tangier, which are carried out regularly, and will look into the possibility of launching an additional short-term advertising campaign for this summer.

SUPPLEMENTARY TO QUESTION NO. 132 OF 1982

HON P J ISOLA:

Mr Speaker, I wanted to say because as it was in connection with the other question, having regard to the urgent need to do that, does not the Minister think that something dramatic like a reduction, a good reduction in daytrippers' fares from Tangier, Morocco would do the trick?

HON H J ZAMMITT:

As I said, Mr Speaker, in the context of my general answer to the previous question, I think it has already been done. As I said, Bland have a reduced fare for groups and we found that Trans Tour only yesterday came out with a reduced fare of £13 return for day-shoppers and may I say also that the shopping time extended from 9 in the morning until 6.30 in the evening as opposed to the midday until 4 o'clock. So something is being done, Sir.

HON P J ISOLA:

May I just ask that on that, isn't there a need to encourage individuals rather than groups because the group trips do they not get involved mainly in Rock Tours?

HON H J ZAMMITT:

I do not think from Morocco, Mr Speaker, not the Moroccan and I say that as a nationality, not the Moroccan, the Moroccan is known to come here and purchase. Possibly so in the case of Germans or Americans who could well be in Tangier, possibly so but the Moroccans if they came in groups and they can easily achieve a group not with much difficulty.

HON MAJOR R J PELIZA:

Can the Minister think of other measures that might be taken to encourage people to come over, not just cheaper fares? Has there been a special campaign conducted to attract them over perhaps in

conjunction with the traders who are supposed to have over stocked themselves? In conjunction with them, forms of sales and things like that to make them come especially for the purchases? Has anything in that respect been done by the Minister?

HON H J ZAMMITT:

Mr Speaker, the Tourist Office has in the past been going over to Tangier and running campaigns in conjunction with tour operators and travel agents. I agree we should pep it up this year for obvious reasons, we should try and stimulate further traffic to Gibraltar and we are doing that. As I said in answer to my question we will be going as far down as Rabat and the like and advertising in the Journal de Tangier.

HON MAJOR R J PELIZA:

Mr Speaker, bearing in mind that there is urgency about this because summer is half way through now you might say, by the time you start the campaign, would he perhaps contact those traders who are overstocked and in conjunction with them, suggest that perhaps in advertising which also advertises "sale", a major sale in Gibraltar would attract them?

HON H J ZAMMITT:

Sir, I should report that only yesterday we did hold a meeting with the Chamber of Commerce. There seems to be very good working relationships with the Chamber of Commerce to try and attract as much tourism as possible to Gibraltar not only from Tangier.

HON P J ISOLA:

Let me labour on that position. I may be very ignorant on this but, as I understand a group travel fare as sold by, for example, one of the operators Bland, does that not include in the price a Rock Tour and a meal?

HON H J ZAMMITT:

No, not necessarily. You can get a group travel that would give you lunch, for arguments sake at the Rock Hotel, and a Rock Tour but you do get a shopping tour to Gibraltar.

HON P J ISOLA:

Isn't it desirable to encourage the individual reduction in fares? This is what I am getting at.

HON H J ZAMMITT:

Possibly so.

MR SPEAKER:

No, we are beginning to debate, with due respect. Next question.

THE HON A T LODDO

Mr Speaker, will Government make immediate provisions for trolleys at the Arrival Hall of the New Air Terminal which are clearly required for the convenience of passengers and especially elderly persons or alternatively provide a portorage service?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Sir, fifty baggage trolleys for the Air Terminal were offered free of charge by two local firms and this was agreed to in April. They are expected to arrive in the very near future. In the meantime, as much assistance as possible is being given to the elderly and handicapped passangers.

SUPPLEMENTARY TO QUESTION NO. 133 OF 1982

HON A T LODDO:

Mr Speaker, if there is no portorage service how is this assistance being offered to elderly persons?

HON H J ZAMMITT:

Mr Speaker, the Tourist Office has two men permanently at the Air Terminal and whenever any elderly person is seen, assistance is provided by the Tourist Office or may I say, equally by Blands.

HON A T LODDO:

Mr Speaker, whatever Bland do is entirely up to them, what the Government does is what concerns us here. Are these two men employed by the Tourist Office not in fact in charge of the doors so that people do not go into the Arrival Hall instead of out and if they are at the door, as I always see them, how on earth can they help people with their baggage?

HON H J ZAMMITT:

I am not aware that the two Tourist Office men are at the door to stop people going in. The system now works completely different as it was working only a month ago. We have a senior Tourist Office official there now, the moment somebody is seen with a certain age, of course, assistance is as far as possible provided but we will be having the trolleys, I hope very, very quickly.

HON MAJOR R J PELIZA:

Mr Speaker, it is not just a question of age, there are people who are really incapacitated who, obviously the individual there who is paid by the Government cannot

MR SPEAKER:

Let us ask questions, we are debating.

HON MAJOR R J PELIZA:

Mr Speaker, wouldn't it be a good idea to have a notice there, somewhere, indicating that people who are incapacitated for one reason or another of being able to handle their own luggage can call at the counter and get assistance? Wouldn't that be a good idea?

HON H J ZAMMITT:

It is possible, I will think of that, Mr Speaker.

HON A J HAYNES:

Would the Minister also consider providing a large trolley or trolley type machine to carry a number of suitcases?

HON H J ZAMMITT:

Where from?

HON A J HAYNES:

From the point where the baggage is received to the exit at the door, as an interim measure?

MR SPEAKER:

We are getting into details. Next question.

NO. 134 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government release the figure of applicants on the Waiting List as at 28/6/82 giving the number in respect of the various categories ie four rooms, three rooms?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Sir, the total number of applicants on the Waiting list as at 28 June, 1982, is 1808, made up as follows:-

<u>B/S</u>	<u>2RKB</u>	<u>3RKB</u>	<u>4RKB</u>	<u>5RKB</u>	<u>6RKB</u>
168	419	678	476	60	7

THE HON A J HAYNES

Sir, will Government state how many 'social cases' have been granted accommodation in the last six months and how many approved 'social cases' are now waiting to be granted accommodation and will Government give a list of the buildings where accommodation has been granted?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Sir, twenty social cases were accommodated in pre-war accommodation as recommended by the Housing Advisory Committee during the last six months as follows:-

- 7 at Red Ensign House
- 1 at 15 Town Range
- 1 at 39/41 Town Range
- 2 at North Gorge Hostel
- 2 at 2/8 Road to the Lines
- 2 at 23/25 Willis's Passage
- 1 at 37 Castle Ramp
- 1 at 4/12 Lopez's Ramp
- 1 at 3/5 Demaya's Ramp
- 1 at 6/1 Parody's Passage
- 1 at 2 McPhail's Passage

There are at present fifty-one social cases waiting to be offered pre-war accommodation, following the recommendations of the Housing Advisory Committee.

THE HON A J HAYNES

Sir, will Government consider publishing a list of applicants who are granted accommodation at new or modernised premises giving their pointage?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Yes, Sir, but only in those cases where accommodation has been actually allocated on points.

SUPPLEMENTARY TO QUESTION NO. 136 OF 1982

HON A J HAYNES:

Can the Minister explain?

HON H J ZAMMITT:

We cannot obviously give points out in the case of medical category or reallocation after decanting, Government quarters or exchanges.

HON A J HAYNES:

Can the Minister then not give the pointage in those cases but beside the names of the lucky or successful applicant put medical category, Government quarter, to give an indication?

HON H J ZAMMITT:

No, Mr Speaker, I am afraid I have had this question in this House many times before, there is opposition to the publicising of people's illnesses or ailments and there is strong opposition to such a list being provided of people who do not want to make known their serious illnesses.

HON A J HAYNES:

Mr Speaker, I do not think it is giving away an illness to say Government quarter.

HON H J ZAMMITT:

A Government quarter, I agree to that.

HON A J HAYNES:

In other words, you are going to give the pointage on the basis of the successful application in all cases except for medical category?

HON H J ZAMMITT:

Well, or exchanges. It would be futile. There would not be points in the question of exchanges if people want to exchange with each other. There would be no pointage at all so you could not give a pointage as the question is phrased.

HON A J HAYNES:

To clarify the position, Mr Speaker. A list will be published giving the pointage of the successful applicants stating in the case where a Government quarter has been allocated that it is a Government quarter and missing only the cases where exchanges have resulted in a new house and the medical category. All other cases will be listed as such, including social cases, Family Care Unit Report cases?

HON H J ZAMMITT:

Well, social cases will not be in post-war accommodation, it would be in pre-war accommodation.

MR SPEAKER:

Next question.

NO. 137 OF 1982

ORAL

THE HON A J HAYNES

Sir, is Government aware of the living conditions at 15 Town Range and will Government state whether they propose to effect any repairs therein in the period of this financial year?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Government is aware of the living conditions at 15 Town Range and some work is currently in hand. This involves the repair of a ceiling in an empty flat and floorboards to another flat. The parapet to the flat roofs are being repaired as well as a number of cracks in the walls in the external areas. During the course of the year further repairs will be effected to the flat roof of the building.

SUPPLEMENTARY TO QUESTION NO. 137 OF 1982

HON A J HAYNES:

Mr Speaker, is Government intending to introduce water meters or any other repairs other than the ones listed?

HON H J ZAMMITT:

Yes, Mr Speaker, we intend to put water meters into the individual cubicles.

MR SPEAKER:

Next question.

NO. 138 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, can the Minister say whether the surfacing work on Tank Ramp has now been completed?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the final road surfacing at Tank Ramp is about 75% complete and will be finished once the backlog of urgent road repairs has been carried out. The PWD asphalt plant has been working at full capacity for several months on works connected with the anticipated re-opening of the frontier, together with playgrounds, access roads and car parks at the new Girls' Comprehensive School and at St Jago's Housing site.

SUPPLEMENTARY TO QUESTION NO. 138 OF 1982

HON A T LODDO:

Mr Speaker, is the Minister prepared to give us yet another completion date for Tank Ramp?

HON M K FEATHERSTONE:

I can only say, Sir, that it was not considered that Tank Ramp was so urgent that other jobs which we considered should have greater priority should be put back.

HON A T LODDO:

Mr Speaker, I have been in this House now just over two years and I keep getting jogged off with these answers. Can the Minister give us yet another completion date? Is he in a position to give us a completion date at any time?

HON M K FEATHERSTONE:

I would hope, Sir, by the next meeting of the House if the Hon Member wishes to ask has it been completed I will be able to say yes, Sir.

THE HON A J HAYNES

Sir, will Government state the position as regards modernisation and/or repairs of Hargrave's Parade in the light of the Minister's statement during the examination of estimates at the Budget meeting of 1982?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, all drawings for the provision of 17 kitchens and bathrooms are 95% complete. Bills of Quantities or Schedule of Rates will then proceed, with tender invitation following, dependent on availability of funds.

SUPPLEMENTARY TO QUESTION NO. 139 OF 1982

HON A J HAYNES:

Mr Speaker, as I understood at the Budget I was informed that this would be done this year. Is this still the proposal of Government?

HON M K FEATHERSTONE:

Depending on the availability of funds I would say yes, Sir. It is hoped that we will have the funds this year, I cannot promise definitely.

HON A J HAYNES:

Does that mean that this year work will commence to completely modernise Hargrave's Parade?

HON M K FEATHERSTONE:

Sir, if we get the funds we will provide each of the flats with a new kitchen and bathroom self contained in the flat itself, it may not be complete modernisation but it will be a very great improvement.

HON A J HAYNES:

When will the Minister know whether or not funds will be made available?

HON M K FEATHERSTONE:

I should think later in the year, Sir.

HON A J HAYNES:

When, Mr Speaker?

HON M K FEATHERSTONE:

As I said, later in the year, when we see how our funds are.

THE HON A T LODDO

Mr Speaker, what are Government's plans for the re-provisioning of the four tennis courts demolished at USOC to make a coach park?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government has no plans for the re-provisioning of these four tennis courts. The land was made available by MOD as it was surplus to their recreational requirements. It should also be noted that the courts had remained unused for about a year.

Once the area has been resurfaced, the site will be used as a car park. It will be particularly useful in view of the proposed pedestrianisation of Main Street.

SUPPLEMENTARY TO QUESTION NO. 140 OF 1982

HON A T LODDO:

Mr Speaker, does not the Government agree that the reason why tennis courts remained unused was because the Naval authorities refused to allow people to use them? Does not the Government also agree that there is a need for more tennis courts in Gibraltar for the use of the civilian population? Would they be prepared to reprovide if not the four tennis courts at least two?

HON M K FEATHERSTONE:

Sir, Government is not responsible for the decisions made by the MOD with regard to land which was at that time in their possession. I would accept that there is a need for more tennis courts as there is a need for many more sporting facilities and I do believe that perhaps in the future it may be possible to provide some tennis courts at the Victoria Stadium. However, there is also a need, I am sure the Hon Member will accept, for car parking and should the frontier open there will be a need in this area for coach parking so that to revert back to tennis courts would not be really a very good idea.

HON A T LODDO:

Mr Speaker, whilst accepting that it would not be practical to revert the USOC to tennis courts, my question is reproviding or reprovioning these tennis courts elsewhere?

HON M K FEATHERSTONE:

I think, Sir, that the agreement with MOD initially had been considering the taking over of the hockey pitch which did call for reprovion but I do not think there was a need for reprovion of the tennis courts elsewhere.

THE HON P J ISOLA

In view of the fact that the frontier is not to open, does Government propose to go ahead with its plans for pedestrianisation of Main Street and if so will Government consider making exceptions in respect of:-

- a) hotels in the pedestrianisation areas
- b) aged, sick and infirm people living within the pedestrianisation areas?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government would like to go ahead with its plans for the pedestrianisation of Main Street (and all the side streets included in the proposals), as well as the Cornwall's Parade development, as part of its programme to improve the tourist product.

Government is currently studying representations made by individuals and Associations in response to the proposals presented to the general public at the exhibition that was staged at the John Mackintosh Hall during the second week of May, 1982. The proposed exceptions referred to in the question are included in this study.

A reply is still awaited on the project application made to ODA.

NO. 142 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, was permission given to the Contractor carrying out the modernisation of properties in Road to the Lines, to dump rubble and other waste building materials over the old Moorish Castle walls and into King's Lines?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, some tipping of rubble has been allowed in order to level a piece of ground. The ground will be tidied and landscaped by the Contractor upon completion of the works.

Waste building materials are either burnt or carted away.

SUPPLEMENTARY TO QUESTION NO. 142 OF 1982

HON A T LODDO:

Mr Speaker, I cannot agree with the Minister. Has the Minister been up there to see? There are several tons of rubble which have almost buried the walls and which, I can assure the Minister, are a danger to those walls which could collapse under the weight. This rubble extends now onto King's Lines. Is the Minister aware of this? Has the Minister been to see this?

HON M K FEATHERSTONE:

I have not been up there for some time, Sir, I am very interested in the Hon Member's interest in this. I will send somebody up to check into it straight away and I will go myself at the same time and have a look at it.

HON A T LODDO:

Mr Speaker, if the Minister would like me to go with him I would be only too pleased to go along.

HON M K FEATHERSTONE:

Very kind of you.

NO. 143 OF 1982

ORAL

THE HON J BOSSANO

Can Government confirm that it is no longer willing to fulfil the commitment given to tenants of Tankerville House that their balconies would be replaced by new ones?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government is looking into the representations made by the tenants of Tankerville House, in respect of a solution to the problem of the balconies.

SUPPLEMENTARY TO QUESTION NO. 143 OF 1982

HON J BOSSANO:

Mr Speaker, has Government not in fact already informed the tenants that it is not in a position to replace the balconies and is it not a fact that the Government had made arrangements for employees of the Public Works Department to remove the balconies?

HON M K FEATHERSTONE:

Sir, there is a certain amount of doubt insofar as whether Government made a commitment to the tenants to replace their balconies. Even if such a commitment had been made, Government must always be in a position to have a re-think on the matter considering, firstly, the cost of such a commitment if it had been made, and secondly, the practicality of the situation. The situation actually was that Government was going to commence the removal of the balconies but since the tenants made representations this work has been put off until we can come to some solution of the problem.

HON J BOSSANO:

So am I right, Mr Speaker, in inferring from that answer that the position of the Government is that they still have an open mind on the subject?

HON M K FEATHERSTONE:

I have been chivied by my Hon Colleague here to give a reply of "Yes Minister" - yes and no. The basic situation, Sir, is that if we were to replace the balconies the cost would be almost prohibitive. If we were to remove the balconies it would be very much cheaper. As I have said, the situation is still being discussed with the tenants who, I would comment, have had this balcony area rent free completely. I would not like to commit Government one way or the other at the moment. We still have, to some extent, an open mind although we would basically prefer to remove the balconies as such.

HON J BOSSANO:

Mr Speaker, but in fact, if I just take the point, I welcome not the "yes and no" but the intimation that a final decision has not been taken. In fact, it is no fault of the tenant that the balconies have been rent free because in fact it is Government policy, is it not, not to charge for the space of balconies in any Housing Estate?

HON M K FEATHERSTONE:

Yes, that was so on the condition they were not living areas but in certain instances the balconies had been converted into living area and the people had been availing themselves of this facility rent free. There is the possibility that has been put to the tenants for their consideration and they have not yet replied that if they were to accept that the balcony area might be a rentable area then perhaps Government might replace the balconies.

HON J BOSSANO:

Is it not a fact, Mr Speaker, that in the case of the work that was done on the Tower Blocks, on the six flats that were treated by Government in order to alleviate the dampness as a trial thing, the areas enclosing the balconies were included in the rentable area?

HON M K FEATHERSTONE:

Yes, I think they were included.

HON J BOSSANO:

Isn't this in fact the only case where the balconies are, in fact, considered to be part of the tenancy?

HON M K FEATHERSTONE:

Since the application of rents to properties is not specifically my department I am not really sure of my ground on this.

HON P J ISOLA:

Mr Speaker, how is it that the balconies have been allowed to get into the condition that they either have to be replaced or removed? Has this been due to lack of repair and maintenance by the Government department over the years?

HON M K FEATHERSTONE:

No, I think it is a basic, I would not say fault in construction, the construction is such that the balconies have not resisted the wear of time. They are now about thirty years old and they are deteriorating very considerably.

THE HON G T RESTANO

Does the Government have a programme for exterior repainting of Crown Properties, including Government Housing, and if so which Properties have been repainted during the last six months and which are to be repainted during the next six months?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Yes, Sir, Government does have a programme for the external repainting of Crown Properties. Progress on the programme is however subject to demands for internal painting by Housing and other departments.

The following properties were painted during the last six months:

- a. Willis's House (Block of 20 flats)
- b. 27 Scud Hill
- c. Supreme Court Bailiff's Quarters
- d. St Bernard's Hospital, Children's Ward
- e. Mackintosh Hall, Front Elevation
- f. The Piazza at John Mackintosh Square
- g. Bishop Healy Home
- h. Montagu Pavilion
- i. Changing Room facilities and walls at:-
 - Little Bay
 - Camp Bay
 - Eastern Beach
 - Catalan Bay
 - Sandy Bay
- j. Four Corners Customs and new Car Park walls
- k. St Peter's School
- l. The Public Markets
- m. Woodlands, Buena Vista Road

The following properties are scheduled to be painted during the next six months:

- a. MacMillan House (Block of 18 flats)
- b. Bayside Comprehensive School
- c. Faulknor House (Block of 24 flats)
- d. Forrester House (Block of 12 flats)
- e. Sheffield House (Block of 24 flats)
- f. The Haven
- g. Heathfield House
- h. 2 Baca's Passage (Block of 24 flats)

SUPPLEMENTARY TO QUESTION NO. 144 OF 1982

HON G T RESTANO:

Mr Speaker, I notice that none of the large building estates seem to have called the attention of the department in this area. Is there any programme for, for example, Humphreys, the Moorish Castle Estate being repainted?

HON M K FEATHERSTONE:

They will come into the general programme as we go along. As far as my memory recalls I think a certain amount of Humphreys was actually painted last year.

HON G T RESTANO:

What about, for example, Laguna Estate?

HON M K FEATHERSTONE:

Well, I think, Faulknor House, Forrester House and Sheffield House are at Laguna and we will gradually work round the whole Estate.

HON G T RESTANO:

Those are three.

MR SPEAKER:

We are not going to go into details. I think they intend to do this.

HON G T RESTANO:

That is precisely what I was going to ask, Mr Speaker.

HON M K FEATHERSTONE:

Yes, the schedule in due course should cover all the properties in Gibraltar.

HON G T RESTANO:

How long does it take for all the properties of Government to be repainted?

HON M K FEATHERSTONE:

Since normally we try to paint properties once every 15 years or so I should say it is a 15 year schedule.

HON G T RESTANO:

Certain private landlords are required by law to paint the facade. If not they are subject to fines and being taken to Court. Would Government say whether they too are restricted to a 15 year period of repainting?

HON M K FEATHERSTONE:

I think in most instances where a Section 23 Notice has actually been sent to a private landlord, the property in question has not been painted, to my knowledge in many instances, for 40 to 50 years and in the majority of instances 20 to 25 years.

HON G T RESTANO:

Mr Speaker, I would concur entirely with these summonses to be issued where properties have not been repainted for such a long time but if the Government programme is once every 15 years would the Government not agree that private dwellings should also be subject to the same time schedule of 15 years?

HON M K FEATHERSTONE:

One would hope that one could give the private landlord a 15 year period assuming that there was not any abnormal dilapidation of the property but if something abnormal should occur then, of course, it is possible a Section 23 Notice might be issued earlier but as I have said the notices that have been given have been on properties which have not been dealt with for a very long time.

HON G T RESTANO:

The other question I wanted to ask, Mr Speaker, is, are there any Crown Properties which have not been painted for over more than 15 years?

HON M K FEATHERSTONE:

I would really need separate notice for that question but as an off-hand guess from the top of my head I would say, yes I think there must be.

HON G T RESTANO:

Could the Minister find out and let me know?

HON M K FEATHERSTONE:

Yes, I will do so.

MR SPEAKER:

Next question.

THE HON A T LODDO

Mr Speaker, in view of the fact that the re-opening of the frontier has apparently been postponed "sine die", would Government consider making the car park at North Front, a compulsory trailer and container park?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the car park at North Front is required in connection with the Air Terminal. Commercial vehicles, including trailers and containers are specifically excluded from this car park.

SUPPLEMENTARY TO QUESTION NO. 145 OF 1982

HON A T LODDO:

Mr Speaker, I am aware that this is the case. What I am asking is, would the Government consider making this into a trailer and container park due to the fact that trailers and containers are being parked indiscriminately all over Gibraltar which are not only an eyesore but also a danger to pedestrians and drivers alike? It is time that we had a container and car park where we would have to oblige owners of containers and cars to park there.

HON M K FEATHERSTONE:

Sir, I appreciate the situation of containers and lorries to some extent being indiscriminately parked. However, the car park that has been made at North Front is specifically for the Airport. As the Hon Member has mentioned the opening of the frontier has been postponed in his words, "sine die", we do not know whether that may be six weeks, six months or six years. We might be in an invidious position if we today made some conditions for the North Front car park to be used as a container park and then in six weeks time we found we needed it for an ordinary car park. We would have to get the containers out. The other situation is that we did get it from the RAF on the basis that it would be a car park. They may challenge us if we then start using it for other purposes.

HON A T LODDO:

Mr Speaker, would not the Government agree that if the coach park at USOC, as it was originally envisaged, will now be a car park, they can similarly treat the car park at North Front as a trailer park? Would they not agree that it is about time we had all containers and trailers in one park and not scattered all over Gibraltar?

HON M K FEATHERSTONE:

I would agree it would be very nice to have containers and trailers in one place but I do not think that the North Front car park which is specifically a car park for the Airport should be put to this purpose.

HON A T LODDO:

Mr Speaker, has the Government any idea where it wants to park its trailers and containers seeing they are all so concerned?

HON M K FEATHERSTONE:

We did have a place in Devil's Tower Road but I am afraid the lorry people and such like did not make very much use of it so some of the faults is on their own heads.

HON A T LODDO:

Mr Speaker, will the Government make it compulsory for them to park there?

HON M K FEATHERSTONE:

I would really need notice of that question, Sir.

MR SPEAKER:

Next question.

THE HON A T LODDO

Mr Speaker, when will the two parking areas on Sir Herbert Miles Road above Catalan Bay Village be completed?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, if the Hon Member is referring to the road improvement schemes opposite the Caleta Palace and St Peter's School, the position is as follows:-

(a) Caleta Palace

The sharp bend opposite the hotel has been removed to improve visibility and when the scheme is complete the road will run along the face of the new retaining wall.

(b) St Peter's School

In connection with the road improvement works, a number of new parking bays are being made available to the developer of the "La Terazza" scheme who is contributing to the cost of these works.

Most of the areas will be available for parking shortly and the rest before the end of the year.

NO. 147 OF 1982

ORAL

THE HON A J HAYNES

Sir, further to Question 321 of 1981 will Government reconsider the matter and will they state who their advisers are on matters relating to solar energy?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the question of alternative sources of energy, including solar energy, is one that is continuously under review.

The professional staff of the Public Works and City Electrical Engineer's Departments keep abreast of developments in this field through the professional institutions, research establishments and companies.

SUPPLEMENTARY TO QUESTION NO. 147 OF 1982

HON A J HAYNES:

Does that mean that no specific adviser, no expert adviser was consulted in assessing the answer given in Question No. 321 of 1981?

HON M K FEATHERSTONE:

Apart from the interest shown to us by a company in Gibraltar known as High Chaparral Ltd, we do not have any specific professional adviser.

HON A J HAYNES:

That is not the company that, in fact, gave me this idea. It originates from an expert from America, it has nothing to do with that, who suggested that this could be possible. Is the Minister aware of recent developments in solar energy which would make the catchment area feasible for solar energy?

HON M K FEATHERSTONE:

I am not sure when the Hon Member talks about solar energy what he is referring to. Solar energy can be put to a number of purposes. One of them is the heating of water, another one is the possible distillation of water, another one is the production of electrical energy. As far as the information I have at the moment, the heating of water on a moderate domestic basis is a reasonable possibility. The use of solar energy to distil water is feasible but has a very high capital cost. The use of solar energy to obtain electrical energy, at the moment, is very expensive indeed, although costs are definitely dropping very rapidly and there is a possibility as far as American advice goes that by the year 1988 or so the cost may be something down to 25 cents per volt. The price today is 3 dollars per volt.

HON A J HAYNES:

He has been reading his information from High Chaparral. Mr Speaker, in view of the answer given to Question No. 321 which was that the East side of the Rock is not geographically suited for collecting sunlight. Will the Minister, given that I have different information, re-investigate the matter and will the Minister appoint experts who are true experts in the field?

HON M K FEATHERSTONE:

If the Hon Member likes to show me the information that he has got we are willing to consider whether we should go to look for consultants or experts. One thing must always be taken with a certain measure of caution. In new ventures, consultants are very liable to vary in their advice and this is rather a new field. The information that comes to us does vary very considerably and I do not think anybody is really yet in the position to say that he is an expert on this field.

MR SPEAKER:

Next question.

NO. 148 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government state their position as regards Jumper's Building and their decision to decant the inhabitants thereof?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, in order to establish whether Jumper's Building can be repaired economically or whether the only alternative is to demolish, it is necessary to carry out further investigations of the structure which cannot be effected with the tenants living in. Government is therefore planning for the decanting of the tenants as soon as possible, but some offers of re-accommodation have been refused.

SUPPLEMENTARY TO QUESTION NO. 148 OF 1982

HON A J HAYNES:

Sir, I have some information as regards those offers which have been refused. Would the Minister confirm they are in fact correct? In effect, four offers have been made; one was offered to three people and rejected consistently on the grounds that they were offering a three room, kitchen, bathroom flat to families whose requirements were for a four room, kitchen, bathroom flat. This offer which was repeated was therefore not accepted. Similarly the only flat that has been offered separately is in relation to private dwellings belonging apparently in some way to the tenant who was offered that accommodation. Will the Minister please confirm that information first?

HON M K FEATHERSTONE:

As I have said before I am not fully au fait with the housing situation. I think my Hon Colleague might be in a better position to give you information on specific details.

HON H J ZAMMITT:

Mr Speaker, Sir, the question of a family composition being offered three rooms, kitchen, bathroom is not so. In fact, what was offered was a three/four divisible which many people have had to accept for four. The family insisted in the full four which we did not have but the Hon Member knows very well that many people up for four rooms, kitchen, bathroom are in fact offered three/four divisible and this is what was offered to this particular tenant. In the other circumstances, it so happened that there was a person living there who owns his own private accommodation and he asked Government if we would decant a sole tenant from his own property into a bedsitter which we did and because we were able to or, shall we say, in return for a bedsitter, of course, we decanted a four rooms, kitchen, bathroom.

HON A J HAYNES:

Mr Speaker, as I understand it then only one flat has been offered and one arrangement has been offered through a bedsitter offered by Government. Is the position that the tenants of Jumper's Building were informed in May of last year that Jumper's Building was to be decanted on the grounds that it was necessary for Government to make inquiry as to the structure of the building to decide whether or not it was safe?

HON H J ZAMMITT:

I am sorry, I must come in again, Mr Speaker, Sir. It is not true to say that one flat was offered. Another family composition was offered adequate accommodation but they did not like the particular area so one has to be careful when one says were they offered adequate accommodation. We offered two rooms, kitchen, bathroom to a couple at Coelho House but the couple wanted something in Hymphreys which we just did not have and nor will we have for the time being, apparently. That was another offer that was made, it was not just one offer. Four tenants have in fact been offered adequate accommodation and all offers have been rejected.

HON A J HAYNES:

Mr Speaker, can the Minister confirm that as between the Minister for Public Works and the Minister for Housing, there is a lack of coordination in this matter in that though I was informed that there is a decision to decant, the Housing Department claims that they have no instructions to decant?

HON H J ZAMMITT:

No, that is not so, Mr Speaker. There is no lack of coordination between Public Works and the Housing Department. The Housing Department has the obligation to decant people according to Government policy particularly in the case of Jumper's Building. I think it did not take us more than possibly four weeks after the original meeting to offer four tenants adequate post-war housing. All four refused. What Government and the Housing Department cannot be expected to do is or, shall I say, will not allow ourselves to be forced into, is into a position where people are going to hold the Government or the Housing Department to ransom in being selective as to exactly the location or the house of a particular choice. That may not come about and it may take years for a particular house to come about. We just have to make an offer and may I say, we have justified and I think, I would not say we excuse, we have certainly made our offer, there is no dis-coordination between Public Works and the Housing Department.

HON A J HAYNES:

Will the Minister confirm then that the Housing Department has instructions which they will fulfil to decant those presently living in Jumper's Building?

HON. H J ZAMMITT:

We will decant as and when properties become available that are adequate to house those particular tenants wherever the properties arise. Wherever they arise not at the choice of the tenants who wish to be decanted.

HON A J HAYNES: .

Can the Minister indicate what period of time he estimates will be required to finish decanting or at least to make offers of adequate housing to all those presently living at Jumper's Building? What time-scale does he put there?

HON H J ZAMMITT:

The Housing Department does not intend to decant all at Jumper's Building. We certainly intend to decant one of the two blocks at Jumper's Building. If I remember correctly, I think there are something like sixteen tenants there, I am not very sure. We will as and when suitable houses become available not into new housing.

HON A J HAYNES:

When, Mr Speaker?

HON H J ZAMMITT:

I cannot say.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Mr Speaker, would Government make a statement concerning the present position of the Gibraltar Quarry Company particularly having regard to the Principal Auditor's Report?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, as Hon Members of the House are aware, the Gibraltar Government transferred the Winning of Sand Project to the Gibraltar Quarry Company following the Certificate of practical completion, issued by the consultants Messrs Robertson's Research. Again, as all Members of the House are aware, it soon became obvious that despite the certificate of practical completion the sand winning project was presenting difficulties in respect of the chute that had been designed by the consultants.

Despite all the pressure that has been applied to the consultants the latter have not succeeded in solving this problem.

As stated in the Principal Auditor's Report for the Annual Accounts 1980/81, sand has been and is being excavated from the lower slopes and from another site further north.

The fact that the chute has been non-operational has, again as pointed out in the Principal Auditor's Report, resulted in considerable expense to the Company, and Government has been meeting claims from the Company as explained in the said Report.

The position is that the Gibraltar Government handed over in all good faith to the Gibraltar Quarry Company an undertaking that should have been totally operational, following the certificate of practical completion issued by the consultants. The fact that this has not proved to be the case has placed the Gibraltar Quarry Company in a position whereby they can only claim from the Gibraltar Government.

The Gibraltar Government has under action the enforcing of its legal rights and is obtaining a consultant's report for this purpose.

SUPPLEMENTARY TO QUESTION NO. 149 OF 1982

HON G T RESTANO:

For how long, Mr Speaker, is the Gibraltar Government going to be continuing to subsidise the Gibraltar Quarry Company? In 1980/81 it was to the tune of nearly £34,000, I do not know what it was last year. For how long is the Gibraltar Government going to subsidise the Gibraltar Quarry Company?

HON M K FEATHERSTONE:

Since the bank balance of the Gibraltar Quarry Company today is some £15,000 in the black, they are not being subsidised by Government at all.

HON G T RESTANO:

Is it not a fact, Mr Speaker, that apart from in the 1980/81 accounts the Government subsidised to the tune of £33,995 and over and above that there was £20,000 on account? I am referring to the Principal Auditor's Report for 1980/81, as I say, I do not know what it was last year, we have not had the Report yet. So in that year it was £50,000 over and above what had been given to the Company already. For how long is the Government going to be subsidising it?

MR SPEAKER:

In fairness to the Minister, I think the answer has been that the Company is not being subsidised at present.

HON G T RESTANO:

In fact, what the Minister has said is that the Company is now in the black but how is it that it is in the black, is it because Government has given it more money to be able to be in the black?

HON M K FEATHERSTONE:

Sir, I think we ought to be very clear in our minds on this matter. The Government has not given one penny to the Quarry Company. The Government has underwritten a bank overdraft. The Quarry Company has had a bank overdraft and has paid out of its own assets the interest required by the bank for that overdraft. The Government itself has not paid one penny to the Quarry Company whatsoever, all it did was underwrite the overdraft. As I have stated, that overdraft has now disappeared and the Quarry Company is in the black. The Quarry Company is very grateful to the Government for underwriting this overdraft but I do not think it can legally be said that the underwriting of an overdraft is subsidising.

HON G T RESTANO:

Mr Speaker, it says quite clearly in the Principal Auditor's Report: "During the year under review, a further £44,000 was spent on this project As the total approved grant, including supplementary grants, totalled £451,996 the balance of £33,995 had to be charged against Gibraltar funds", further it goes on to say: "Further claims have been made by the Company and a sum of £20,000 was paid on account". So perhaps the Minister would like to explain the difference that he seems to have with the Principal Auditor?

HON M K FEATHERSTONE:

I think the Hon Member is mixing his metaphors.

HON G T RESTANO:

No metaphor, Mr Speaker, I have quoted from the Principal Auditor's Report.

HON M K FEATHERSTONE:

I am using a figure of speech, I am afraid that it is over his head. The situation with regard to the sums of money paid by Government to the Quarry Company were capital outlays for work which basically should have been done originally according to the consultant's instructions and paid for by Government. In the actual fact they were paid in the first instance by the Quarry Company and were reimbursed by Government. These are the sums that will be the claim against the consultants by the Gibraltar Government. The actual running costs of the Company is where if there had been a subsidy, a subsidy would have come in, the actual running costs of the Company have never come into this question, as I said, they were kept out of a separate entity underwritten by the Government who underwrote the bank loan but, as I have already said, that is no longer necessary.

HON G T RESTANO:

Mr Speaker, apart from the sums that I have already mentioned, I notice that there are further sums which have been met by the Gibraltar Government and which have been after claims from the Quarry Company on precisely the running costs of the Company like the supplying of two conveyors.

HON M K FEATHERSTONE:

That is a capital expense, that is not a running cost.

HON G T RESTANO:

I notice, of course, that there is a difference of opinion between the Principal Auditor and the Financial and Development Secretary on that particular point as to whether it is capital investment or not. Perhaps the Minister would like to make a comment on that or answer my question, that that is running expenses?

MR SPEAKER:

No, what is the question that you are asking?

HON G T RESTANO:

That further sum of £6,683 and a further sum of £2,200 were also given in respect of the supply of conveyors and bank interest to the Gibraltar Quarry Company and this was met by the Gibraltar Government and would not this be the ordinary running cost to meet the running costs of the Company?

HON M K FEATHERSTONE:

I do not know exactly where he is quoting from, is it from this?

HON G T RESTANO:

It is indeed. It is paragraph 32, page 17.

HON M K FEATHERSTONE:

I can assure the Hon Member that no amounts of bank interest have been paid to the Quarry Company by the Government. As I have said before, the situation should be quite clear. The consultants came out, spent a certain amount of ODA money to put up a project. When the project was, according to them, completed and the ODA money was exhausted, it was found the project did not work. The consultants said "Effect this modification", the modification might have been altering the angle of the chute, it might have been the fitting in of conveyors, it might have been the fitting in of vibrators, all sorts of things. Those are capital amounts and for that the Quarry Company initially paid the money and asked Government to foot the bill. For the actual running of the Company, Government has not paid anything to the Quarry Company apart from the sand they have purchased from the Company.

HON G T RESTANO:

Mr Speaker, I am amazed, these are audited accounts of the Government. These are accounts that have been looked into, prepared by the Audit Department and they say quite clearly that £2,778 was paid in respect of interest on the Company's overdraft and here is the Minister saying that there has been no money paid. Is he questioning the Audit Department and the audited accounts? Could I have an answer to that, Mr Speaker?

HON M K FEATHERSTONE:

I will not say that I am taking issue with the Principal Auditor, I will check it up with him. It may have been that the sum of £2,000 was for capital expenditure made by the Quarry Company which had to be reimbursed by the Government. It may be that the Quarry Company in providing these conveyors which may have cost £20,000 afterwards said: "Since we forked out on, let us say, the 1st January £20,000 for the conveyors and you are reclaiming the money on the 1st June, you should pay the interest on that money".

MR SPEAKER:

With due respect to the Minister, may I suggest, did he not say before that the Government had taken on the guarantee of the overdraft?

HON M K FEATHERSTONE:

The Government guaranteed the overdraft.

MR SPEAKER:

Well, perhaps the overdraft included interest.

HON J BOSSANO:

Mr Speaker, if I can ask a question it might help to clarify the matter. Perhaps the Hon Member can either confirm or deny what I understand to be the situation. The Quarry Company is responsible

for the operation of the reclaiming of sand. The Government prior to the setting up of the operation is responsible for setting it up and consequently the Quarry Company in assessing its own viability have got claims on the Government including the question of interest because of the fact that as an operator of the facility it found itself unable to operate it due to the fact that it was not functioning as it had been intended to function. Therefore, there is a distinction between the operation of the Quarry Company as an on-going thing and the responsibility of the Government under the ODA grant to hand over to the Quarry Company a functional method of extracting sand and the Quarry Company has got claims for interest for the use of excavators for contingent liabilities arising out of the original Government commitment. Is that not the case?

HON M K FEATHERSTONE:

Yes, you are 95% correct there. I think the basic point is that the Quarry Company has, as you say, been involved with the running expenses but it has advanced money to the Government against capital expenses to try and get the plant on an operational basis. So far unsuccessfully but in those instances where the Quarry Company advanced the capital and later reclaimed from Government, I will admit they possibly said to Government: "You should pay the interest on that amount".

MR SPEAKER:

We are not going to go further. Perhaps the Minister will wish to make a statement at a later stage to clarify the position but we are not going to clarify the position by trying to suggest solutions.

HON G T RESTANO:

I did ask right at the beginning and I have not had an answer, for how long is Government going to be paying out? I have not had an answer to that. Here we are talking about the year 1980/81. For how long is Government going to be paying it?

HON M K FEATHERSTONE:

All the claims that the Quarry Company has on the Government vis-a-vis capital expenditure have now been met. The Quarry Company will, however, according to legal advice that has been given to it, both by the Attorney-General's Department and the Quarry Company's own lawyers, possibly sue the Government for various other aspects of the whole thing so that the Government can then be enjoined in an action against Robertson's Research. I understand that the correct method is that the Quarry Company should not directly sue Robertson's Research but should do it through the Government itself. The Government, of course, will also be suing on its own behalf Robertson's Research and I would add that the consultant who is going to give us advice and be our expert witness on this arrived here today.

HON G T RESTANO:

Mr Speaker, the Company also has made a claim on the Government in respect of loss of profits for £43,000. May I know on what basis?

MR SPEAKER:

No, we are not going to discuss this under any circumstances.

HON G T RESTANO:

Mr Speaker, if I may just make a point.

MR SPEAKER:

That is the difficulty in question time, you should not make a point at question time. We should ask questions.

HON G T RESTANO:

I am asking on what basis had that £43,000, because the question does ask for a statement particularly having regard to the Principal Auditor's Report and the Principal Auditor makes about five or six points.

MR SPEAKER:

Yes, but you can extract information. What is the question you want to ask?

HON G T RESTANO:

Well, the question is, on what basis has the Company made a claim on the Government of £43,000?

MR SPEAKER:

No, we are going into the intricacies of the matter. Your question is a simple one; would Government make a statement concerning the present position of the Gibraltar Quarry Company particularly having regard to the Principal Auditor's Report? We are not going to debate at question time the whole implications of the present position of the Quarry Company, is it the Government or the consultants?

HON G T RESTANO:

I only have two more points to ask.

MR SPEAKER:

No, let us go on to the next one:

HON G T RESTANO:

Well, I think it is scandalous that the Company should be asking but, anyway, I accept your ruling, Mr Speaker. Next I want to know about the legal action which is being taken.

HON M K FEATHERSTONE:

As I have said, Sir, and taking your indulgence, the first question that was asked, as I have said, the situation is that the Quarry Company has to sue Government who will then pass it through to Robertson's Research in their action. Otherwise, the Quarry Company would have sued Robertson's Research. Robertson's Research promised a certain tonnage per annum would be obtainable from the Quarry project and that tonnage has not been met and that is where part of the loss of profits comes from. The other loss of profits is that to mine any sand at all, more expensive machinery has had to be employed that would otherwise have been necessary. That, again, is something that would be set against Robertson's Research in a direct application but as the situation is that the Government has to be an intermediary then the Quarry Company will sue the Government who will then pass it on against Robertson's Research.

HON G T RESTANO:

Mr Speaker, I will not touch on the profits because that is your ruling but the Principal Auditor does not seem to be again, or at least the Minister does not seem to be of the same opinion as the Principal Auditor. The Principal Auditor says that the matter is now in the hands of the Attorney-General.

HON M K FEATHERSTONE:

That is correct and that is one of the reasons why Government has brought out a consultant who will look into the whole situation and be an expert witness in an action taken by this Government against Robertson's Research on behalf of both the Government and the Quarry Company.

MR SPEAKER:

We are going to leave it at that. We are not going to get any further.

HON P J ISOLA:

In the Report £44,000 was given to the project during 1980/81, let us forget the claims. Can the Minister say how much money was given between 1981/82 by the Government on the claims of the Quarry Company?

HON M K FEATHERSTONE:

I really have not got that in my head. I am afraid I would need notice of that.

HON P J ISOLA:

The only question I wish to ask, Mr Speaker, is, has the Government given consideration to the fact that by giving more and more money to the Quarry Company, and they are doing it on the basis that they hope some day to recover the money back from the Robertson's Research consultants. Has the Government given consideration to the thought that they might not recover that money and that therefore they should address their minds as to whether they should keep this loss making company by whatever means, a subsidy or whatever the Government likes to call it, going indefinitely?

8.

HON M K FEATHERSTONE:

I think when one considers a legal action one considers all the ramifications and one normally goes ahead with a legal action reasonably confident one is going to win. I am sure that if the Government thought that we had no chance of winning they would not proceed with the action.

HON P J ISOLA:

May I ask just one question, yet that that was the position, was it not, Mr Speaker, in the dispute over Varyl Begg Estate and it cost the taxpayers £1m? We were told we would get it all back and we never did.

MR SPEAKER:

Order. Next question.

THE HON A T LODDO

Mr Speaker, did the expert who would advise Government on the need to restore the Gustavo Bacarissas painting which hangs in the City Hall arrive as expected, and what were his recommendations?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the Chief Restorer of the Department of the Environment's Conservation Studio in London visited Gibraltar in April, 1982, primarily to inspect the murals in the courtyard of the Convent. The opportunity was taken for him to inspect the Gustavo Bacarissas painting in the City Hall and to recommend on the treatment required.

His recommendations received on 25 June, 1982, were, basically, that the flaking areas of the picture should be consolidated the surface should be cleaned and the discoloured varnish removed. Areas of paint loss should be filled and re-touched and the whole picture re-varnished.

The Government will now consider the implementation of these recommendations.

6.7.82

NO. 151 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, in view of the success of the traffic lights, even with a closed frontier situation, is Government considering installing traffic lights at other traffic congestion points?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Sir, a number of sites have been investigated for possible future traffic lights installation but owing to the limited funds available these schemes cannot be implemented this year.

It is hoped, however, to instal a "Pelican" traffic light controlled crossing in Queensway for the new Girls' Comprehensive School at an estimated cost of £4,000.

THE HON J BOSSANO

Can Government state how much of the proposed \$40m 1981/86 Development Programme is already included in the 1982/83 Improvement and Development Fund Estimates of Expenditure?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, a number of projects planned under the 1981/86 Development Programme, at an estimated total cost of \$9.12m, were included in the 1982/83 Improvement and Development Fund. Other projects in the new programme continue to await the outcome of discussions with Her Majesty's Government.

SUPPLEMENTARY TO QUESTION NO. 152 OF 1982

HON J BOSSANO:

Mr Speaker, the outcome of discussions then one can take it is not going to influence the content of the Improvement and Development Fund Estimates of Expenditure for the current year?

HON A. J CANEPA:

The provision made in the 1982/83 Estimates totals £3.694m and the projects, if I can run through them very quickly, are Rosia Dale Phase II, the Tower Elocks that was only a token of \$100, the extension to the Boys' Comprehensive School, urban improvements, re-siting of the Ice Box, salt and potable water system renewals, footbridge Winston Churchill Avenue, sewers pumping station - Catalan Bay, desalination plant - Waterport and Viaduct Causeway. The extent to which ODA are or are not forthcoming on these projects which the sum, as I say, is nearly £3.7m for 1982/83 could affect what in fact happens because if not sufficient financial assistance is provided by ODA, we may not be able to, from our own resources, fund the balance.

HON J BOSSANO:

Mr Speaker, I am grateful because I think that the Minister, in fact, misunderstood the line of questioning. What I am saying is that, at best, am I right in saying, what we can anticipate is confirmation of the development programme as reflected in the estimates and that it is not a question of, if the ODA is forthcoming the amount actually being upped from what was already provided in the estimates. Am I right in thinking that?

HON A J CANEPA:

Even from the point of view of time-scale I doubt whether we would be in a position for that amount to be increased. I think the Hon Member is right.

NO. 153 OF 1982

ORAL

THE HON J BOSSANO

Has Government had any indication from ODA whether the limitation placed on the £4m of Development Aid as regards the type of projects for which it could be used are now being lifted?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

No, Sir. The Gibraltar Government will, however, continue to press Her Majesty's Government for a more flexible approach on the funding of development projects, particularly given our urgent and heavy requirements for the funding of housing projects.

SUPPLEMENTARY TO QUESTION NO. 153 OF 1982

HON. J BOSSANO:

Mr Speaker, as regards the £4m of aid, I think it was the Hon and Learned Chief Minister who said in answer to a question at the time that there was, at the time, no clear indication that the philosophy being applied to the £4m was going to extend, as it were, into the rest of the aid. Has there been any change in that position?

HON A J CANEPA:

No, Sir.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Will Government state whether approval has been obtained from ODA for the projects to be funded out of the 34m of Development Aid which were laid on the table six months ago?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, to date, formal ODA approval has not been received for the projects submitted by the Gibraltar Government for funding under the 24m tranche agreed in December, 1981.

SUPPLEMENTARY TO QUESTION NO. 154 OF 1982

HON G T RESTANO:

What is the Government doing about it?

HON A J CANEPA:

May I explain, first of all, what ODA has done about it. Following submissions of the project application, ODA decided that all projects required a full evaluation by their technical advisers. The ODA engineering adviser, Mr Hilton, and a senior economist, Mr Roberts, visited Gibraltar between the 30 March and the 6 April and the 23 to 29 May respectively. The latest indications are that the causeway and the distiller projects will go before the Projects Committee at an early date.

HON G T RESTANO:

Is Government pressing?

HON A J CANEPA:

Yes, the Financial and Development Secretary had meetings in ODA recently, my Colleague the Minister for Public Works was there last week and the Chief Minister on his visit to the United Kingdom. Since the projects applications were made last January, I think the Chief Minister has been there twice. We have all been pressing ODA.

MR SPEAKER:

Next question.

NO. 155 OF 1982

ORAL

THE HON P J ISOLA

Sir, in view of the fact that the frontier is unlikely to open will Government now make an urgent reappraisal of its priorities in its development programme with a view to putting them before the British Minister who is due to travel to Gibraltar shortly?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the Government has already begun its re-examination of the development programme and intends to reiterate its case to the British Minister who is expected in Gibraltar shortly.

SUPPLEMENTARY TO QUESTION NO. 155 OF 1982

HON P J ISOLA:

Will the Minister not agree that it is important to have ready a programme for the British Minister to tackle this at a political level as opposed possibly to ODA which looks at things rather differently and there is a need, is there not, to uplift the moral of Gibraltar and, therefore, will we get a statement from the Minister after the British Minister has come that, in fact, the whole thing has been put in front of the British Minister?

HON A J CANEPA:

I agree with everything that the Hon Member has said. I just cannot promise that I will make the statement because I might not be here to do so but I am sure the Government will consider the point.

MR SPEAKER:

Next question.

THE HON P J ISOLA

Can Government report any further progress on the construction of the multi-storey car park at Casemates?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, following the decision to re-invite tenders on an open tendering basis, four tenders have been received.

These have been considered by the Land Board after consultation with the Development and Planning Commission.

All four tenders fall short of the tender requirements in one way or another, but since some of these deficiencies are common to all, it has been decided to defer adjudication pending clarification from the four parties.

The tenderers have accordingly been given until the end of the month in which to correct the position.

SUPPLEMENTARY TO QUESTION NO. 156 OF 1982

HON J BOSSANO:

Mr Speaker, is there an indication of where the shortfall lies?

HON A J CANEPA:

Yes, the deficiencies are mainly of a design and financial nature but in view of the confidentiality of the tender I cannot go beyond that information.

HON J BOSSANO:

Would the Minister say to what extent the need for reprovisioning of the service families living there is an obstacle or is not an obstacle?

HON A J CANEPA:

Some of the tenderers do make provision to tackle the problem from their own resources.

HON J BOSSANO:

Would the Minister agree that against the background of the economic difficulties facing Gibraltar, it would be totally unacceptable to the Gibraltar Government that if a suitable tenderer was found the non-materialisation of the project should be due to the need for reprovisioning?

HON A J CANEPA:

Yes, but I do not think that that is a major difficulty and at the end of November in the talks that we had with officials who came to Gibraltar, we made the point in connection with these seven married quarters and the fact that if the British Government proposed to close the Dockyard that that might throw up accommodation elsewhere. I think the point was sympathetically received, certainly by the Flag Officer Gibraltar, so if that were to be the sole obstacle I think the Government would go to town on that but I do not think that it will in fact prove to be the case.

THE HON G T RESTANO

Would Government make a statement on the options now open to it with regard to the reclamation on the East side?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Mr Speaker, only two of the three outline proposals received satisfy Government's requirements in general terms. However, there are a number of queries related to the nature of the tourist orientated development which require clarification before the matter can be considered further. The applicants have been notified accordingly. A development of this magnitude requires detailed study not only from a planning and technical point of view but also from the wider economic, social and environmental considerations.

Until these further details are received it will not be possible to consider the procedure to be adopted.

SUPPLEMENTARY TO QUESTION NO. 157 OF 1982

HON G T RESTANO:

Will Government make a statement to this House when it does receive the information it requires as to what its options are?

HON A J CANEPA:

Yes, I am prepared to make a statement in due course. I am prepared to keep the House informed as to progress made, if any, but I do not think that we are going to see very dramatic progress made in this connection. There are a number of details that we have requested from them and I think that some of these details are of a complex nature and they may not be available to the Government, they may not be received from the interested parties in a short period of time. But I am prepared to keep the House informed in future meetings to the extent that I am able to do so.

MR SPEAKER:

Next question.

THE HON J BOSSANO

Will Government consider the retention of St Jago's Hostel for use as a workers hostel until such time as it is due to go out to tender for re-development?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the Government has already earmarked the St Jago's Building for conversion to office accommodation to house a number of Government Departments.

SUPPLEMENTARY TO QUESTION NO. 158 OF 1982

HON J BOSSANO:

Mr Speaker, I am not disputing that. My question is whether they are prepared to retain it as a workers hostel until such time as they use it for the use that the Hon Minister has said?

HON A J CANEPA:

The difficulty again, Mr Speaker, is that we do not really know how soon we can make a start on this project. It is really dependent on the outcome of discussions on the next development aid programme but apart from that there are, I think, other difficulties, for instance, I do not think that the Department of Labour and Social Security at present has any intention to provide additional hostel accommodation to house immigrant labour. The cost and the running expenses at St Jago's will be high for the limited period that it is going to be used. If a need were to arise in the context of any future development plan, I think the Government would seriously consider that or would seriously consider making available other buildings that may become available as a result of accommodation that is now used by some schools, for instance, in Town Range becoming available but we are worried about opening another hostel with all the costs involved and then having difficulties in attempting to close down that hostel. Experience in the past has proved that it is very difficult to close a hostel down. So until we have more clear indications that the purpose for which the building is earmarked which is office accommodation with a view to decanting from private sector accommodation which we are now renting at very high rent, unless that were to be put off for a considerable period of time, I think we would want to proceed along those lines rather than consider a hostel for immigrant labour.

HON J BOSSANO:

Mr Speaker, but I am not suggesting that the Government should decide to have a hostel there as a permanent feature in replacement of its plan. What I am saying is given (a) that it is not going to be done in the current financial year which I think the Government can confirm, (b) that the Government in any case is experiencing difficulties in obtaining the necessary funds for the five-year development programme, would the Minister not agree that it is certainly preferable to have the building in use than to have it empty and derelict like other places are?

HON A J CANEPA:

Except that, as I say, there are not inconsiderable costs entailed in putting it into reasonable conditions. I am told, I have not seen the building itself, I do not know whether the Labour Department have, they must have inspected the building, I think, if their view is that the costs in rehabilitating it would be appreciably high and then the running expenses of the hostel, and there I can speak from direct experience, tend to be rather high. The Government finds it very difficult to make ends meet in the Government hostels that it runs and the expenditure involved may not be worthwhile even if we are not able to make a start during this financial year. I think we would very much like to be able to make a start on office accommodation in the next financial year.

HON J BOSSANO:

Would the Minister not agree, in fact, that past experience, for example, in the case of the hostel that was where the Girls' Comprehensive is today suggest that it would have been preferable in that instance when I asked him at the time to retain the hostel that would have enabled the Government to provide accommodation for labour and with the benefit of hindsight there was an opportunity lost there? Would the Minister not want to avoid a similar situation?

HON A J CANEPA:

Yes, I agree that on that occasion, perhaps, it might have been worthwhile to have used that hostel but do not forget that there we were talking of a major multi-million pound development and the funds have to come from ODA. On this occasion it could well be that provided we do reasonably well out of our aid submission, we may modernise St Jago's building into office accommodation at our own expense because it is a worthwhile exercise having regard to the very high rents that we are paying.

HON J BOSSANO:

I am not disputing that part of it, Mr Speaker. There are two more points that I think I need to make in order to try and persuade the Government, Mr Speaker, if you will allow me. Would the Minister not agree that in looking at the cost element of it he should also take into account two factors that I think perhaps may not be looked at by the Labour Department which is looking at it from a purely departmental view but which I would ask the Minister to look at from the view of the economy of Gibraltar as a whole, which is one that in looking at the volume of work that he expects to be able to put into the development programme there is going to be a need for a construction labour force which cannot be accommodated elsewhere with the present available accommodation? Secondly, the non-availability of hostel accommodation puts additional pressure on private sector housing and eventually shows up as extra pressure on the waiting list for Government housing? Will he when looking at this situation, will he take full account of all the factors in the economy and not simply the cost benefit from a purely Labour Department point of view?

HON A J CANEPA:

Yes, I think the Hon Member has a point and I think I indicated earlier that I was receptive to that argument when I said that if there was a requirement arising from major development projects we would seriously consider it. But I am sure the Hon Member must also be aware that we are, as employers, under enormous pressure from the Gibraltar Government Clerical Association to take remedial steps because the office accommodation falls far short of what is desirable. I am appalled, I can tell the Hon Member about the condition of some of the offices in the Government Secretariat building. We have had industrial action already in this connection and I would not be surprised, if we were to have a very wet winter next year, if we were to have serious problems again. We have got the Gibraltar Government Clerical Association working with the Government in an Office Accommodation Committee and we cannot renege on the studies that are being made to try to solve the problem. You cannot expect people to cooperate with you and carry them along with you in a helpful positive attitude and then been round and do nothing about a building which has been earmarked for that purpose and which they consider would break the back of the problem. These are the difficulties that we also have and we have to fight to balance them all.

HON J BOSSANO:

Mr Speaker, I accept that point entirely and I am not suggesting to the Government for one moment that they should consider putting off using this building for office accommodation in order to retain it as a hostel. All I am asking is whether the Government would consider perhaps, if he says that the Government itself cannot do it economically

MR SPEAKER:

You must ask questions.

HON J BOSSANO:

The question that I am asking is whether they would consider, perhaps, if they cannot do it economically whether with a very clearcut limitation on the period for which it is going to be available, make it available for use as a workers hostel even if it is not Government run? What I am saying is that essentially, I am asking the Government to state whether without in any way renegeing on their commitment to provide the necessary office accommodation for Government workers, whether it is preferable, if it is possible, to keep that building in use until such a time as it is ready to be converted into offices rather than keep it empty?

HON A J CANEPA:

Yes, I think we would be prepared to do that if the school accommodation that is going to be thrown up as a result of a number of moves occurring in the next few months proves to be adequate, as I hope it will be, for use as office accommodation. That might carry us over the hump. I am doubtful about the reaction from the private sector though because we did some years ago put out the Red Ensign Club to tender for use as a hostel and there was very little response but I will arrange for the Minister for Labour and myself to keep that in mind.

6.7.82

NO. 159 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government state the position as regards amending the Port Rules in order to give greater powers of enforcement to the Captain of the Port and will the Government give the clean-up campaign in the Port greater priority?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, as the Hon Member will have noticed from the Agenda for this meeting of the House, steps are already being taken to amend the Port Ordinance thereby granting greater powers of enforcement to the Captain of the Port.

The various works at present being undertaken within the Port area do little to enhance the general tidiness. This, it will be appreciated, is only a passing phase. The strengthening of the powers of enforcement together with the appointments to be made of a Dock Controller and two assistants will enable the clean-up campaign to take on a new impetus.

6.7.82

NO. 160 OF 1982

ORAL

THE HON P J ISOLA

Sir, will Government make a statement on the agreement made between GBC and Airtime International Limited in relation to advertising and will Government make the agreement available to the House?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Questions Nos. 161, 162 and 163.

6.7.82

NO. 161 OF 1982

ORAL

THE HON P J ISOLA

Sir, was Government aware that GBC had signed a contract with Air-time International Limited on 28th March, 1982, and if so will Government explain why it did not bring the agreement to the notice of the House when asking it to make financial provision for GBC at the time of the budget?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Questions Nos. 160, 162 and 163.

NO. 162 OF 1982

ORAL

THE HON P J ISOLA

Sir, in view of the fact that the existing boycott of GBC by traders in Gibraltar must inevitably lead to an increase in the subsidy paid to GBC by the Gibraltar Government, has the Government made any efforts to settle the dispute?

ANSWERTHE HON THE CHIEF MINISTER

Answered together with Questions Nos. 160, 161 and 163.

THE HON P J ISOLA

Sir, will Government state the expected effects of the agreement between GBC and Airtime International Limited on:-

- a) the revenues of the Corporation
- b) the cost of advertising in Gibraltar
- c) the staffing requirements of GBC?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, on 17 February, 1982, the Chairman of the Board of the Gibraltar Broadcasting Corporation wrote to me on a number of matters which had been under consideration by the Board. In his letter he stated, inter alia, "I should in this context mention that GBC, after some protracted bargaining, is about to conclude an agreement with Scottish television which will guarantee at least £140,000 per annum (we hope the figure will be higher) for 40% of our commercial air time The remaining 60% of our commercial air time will need to be sold - in the past the most GBC has managed to dispose of has been 48%". In replying to this point I said "I was very pleased to note the terms on which the proposed agreement with Scottish television has been re-negotiated".

On 6 May, 1982, the President and a number of members of the Board of the Chamber of Commerce asked to see me at short notice in order to bring to my attention their strong objections to the arrangements which GBC had made for advertising. After listening to the Chamber's representatives I said that the Corporation was an independent body and that it seemed to me that the Government's only interest was the effect that the new advertising arrangements were likely to have on the Corporation's finances. I went on to say that, for this reason, their representations should be directed to the Board. They agreed to do so.

Sir, as this House is aware, the Board of GBC values its independence very highly and protects it most jealously. I am sure the House will agree with me that the Board is right in doing so and that, to the extent that matters affecting GBC come before this House, this House should at all times support the Board's independence.

It is for this reason that, from the outset, I took the view that the Government should not without due cause, become involved in the dispute between GBC and the Chamber of Commerce. I believe that that is the correct position to adopt, not only for the Government but for this House as well.

It is implicit in the questions asked by the Hon the Leader of the Opposition that the Government and the House have an interest in this particular matter because of the possible effects on the Board's finances. I, of course, agree entirely with that, but my view is that in the absence of any earlier indication to the contrary, the time for the Government and the House to manifest its interest actively will come when the Board of GBC next submits its accounts.

It is my view that, when a statutory Board is appointed, particularly a statutory Board whose independence is essential and which is widely representative, both the Government and the House should have confidence in that Board's ability to manage competently and effectively the responsibilities with which it is charged. The Government has that confidence in the Board of GBC and hopes that the House as a whole will share it. At the same time, of course, the Government and the House have a primary responsibility for the use of public funds and if, when the time comes, the Government's confidence turns out to have been misplaced, I have no doubt that the Board itself will take the appropriate course of action in those circumstances.

I wish to make it quite clear that my remarks about the position of the Board as an independent Corporation and of the confidence which the Government places in the Board must in no way be construed as meaning that the Government is taking sides in this dispute. The Government regards it at this stage, strictly as a matter between the GBC Board and the Chamber of Commerce and, while it naturally hopes that an amicable settlement will soon be reached, it has not adopted a view on this matter and does not intend to, unless either, when the time comes, it were to become apparent that the Board has not acted wisely, or the Board and the Chamber were jointly to ask for Government intervention. I should add that, quite apart from the reasons I have given for no interference by the Government, the whole question is in the hands of the legal advisers to the Board of GBC and to the Chamber.

What I have said so far is my answer to the four questions asked by the Hon Leader of the Opposition. There is, however, one specific point which is not covered by what I have said and which is contained in Question No. 160 where he asks whether the Government will make the Agreement available to the House. I have consulted the Chairman of the Board on this point and he has informed me that the legal advice given to the Board is that, in accordance with normal commercial practice, the Agreement between GBC and Airtime International Ltd is confidential to the two parties. The Government legal advisers' view is that the Government might properly ask to see the Agreement, if there were a substantial reason for doing so, but that, unless and until it may decide to do so, the Agreement should be treated as confidential to the two parties. I have not, of course, seen the Agreement myself.

I accordingly commend to the House that the dispute which has arisen between the Board of GBC and the Chamber of Commerce be left to the two parties to resolve between themselves.

SUPPLEMENTARY TO QUESTIONS NOS. 160, 161, 162 AND 163 OF 1982

HON P J ISOLA:

Mr Speaker, is the position of the Chief Minister that of Pontius Pilate, that he is washing his hands of the whole affair, when there is a Government subsidy voted by the taxpayers of Gibraltar of over £800,000 to the Gibraltar Broadcasting Corporation? Is that the correct interpretation of what he has said?

HON CHIEF MINISTER:

No, it is a complete misrepresentation of what I have said. What I have said is that at this stage the Government is in no position to know whether the finances of the Corporation will require more help from this House or not and that in the circumstances, being an independent body, the Government is advised that at this stage we should leave the independent body to govern themselves. If, as I said before, the matter were to arise when a misjudgement appeared at the time, then of course, I have indicated perhaps what the Board would do. At this stage it remains to be seen yet at the time when the presentation of the accounts whether in fact this dispute is likely to affect the extent to which the Government will have to provide funds for GBC. There is no point in having an independent body and trying to interfere in the way they carry out their business. As far as my experience is concerned, I do not see any people of calibre being prepared to serve in the Board when the affairs of the Board are interfered with, with haste, by the Government. That is the answer.

HON P J ISOLA:

Mr Speaker, as this House has to vote these vast sums of money every year, has the Chief Minister made any attempt to obtain the information that is requested in these questions?

HON CHIEF MINISTER:

No, I have not because what I have said gives a good indication of the fact that on the face of it we are not at this stage likely to be very seriously affected. The whole of the revenue from advertising last year was £148,000, 40% of the air time provides a guaranteed £140,000, whatever happens, £140,000. If the Board can provide out of the rest of the 60% of the time at least £10,000 or £15,000 then they will be up on last year's revenue in any case. So that, in fact, having regard to what I have said here, which is what I was informed in the letter on the 17th February, the Board is guaranteed £140,000 as compared to the £148,000 that they had after working the whole way through the year. I cannot believe that the Board cannot dispose of 60% of the airtime at a cost of less than the £8,000 or £10,000 or perhaps £15,000 that would be required to make the £148,000 equal to today's value. That is what I am saying and at this stage, in any case, I believe that both parties are in the hands of lawyers with regard to the legality or otherwise of this Agreement and the Government at this stage feels that it would be improper to involve itself in this dispute.

HON P J ISOLA:

Mr Speaker, does not the Chief Minister realise that what he has just said contains a considerable misapprehension of the situation and will he take steps to acquaint himself more about the situation? Is he not aware that what has happened, apparently and has not been denied by the Gibraltar Broadcasting Corporation is, that the advertising that has been built up over the years by the Gibraltar Broadcasting Corporation, this 40% that the Hon and Learned Chief Minister has spoken of, this £140,000, has in fact been passed on to Airtime International Ltd free of charge. Apparently because

they have been given the exclusivity to deal with the products that were being advertised on GBC and that if the Agreement, and that is why we are asking about it, if the Agreement had contained a right to Airtime International Ltd of exclusivity, outside what was already being broadcast today, we might all well be applauding GBC. But, is he not aware that the basic flaw as we understand it and as we have been led to believe, is that what GBC has done is it has passed the advertising acquired at great public expense and at great cost, has passed it on to Airtime International Ltd who are now selling it at a much higher price, is he not aware of this?

HON CHIEF MINISTER:

Nothing of the kind.

HON P J ISOLA:

Then the Chief Minister knows about it, perhaps we could be told.

HON CHIEF MINISTER:

Pardon?

HON P J ISOLA:

Then the Chief Minister knows more about the Agreement than he has led us to believe, perhaps he could tell us, that is why we are asking in this House.

HON CHIEF MINISTER:

When you read my answer, because apparently by reading it out it does not seem to have percolated into the Hon Member's mind, if you read the answer you will see that what the Gibraltar Broadcasting Corporation has sold, in accordance with the information given to us before the Agreement was signed, what GBC has done is has sold 40% of its airtime to another company for which the Government will receive £140,000. Whether it is in respect of the present advertiser or more advertisers and in this connection, the fact that it is a company which advertises in the United Kingdom and would be helpful in projecting Gibraltar in other television services as well, is a side effect, the point is that in accordance with my understanding of the situation we have a guaranteed £140,000 come what may. Whether the company itself had in mind when they offered this amount that they would take over part of the advertising or not is neither here nor there. If they have made a misjudgement of that, that is their responsibility not ours. As far as we are concerned, we have available for Airtime International the 40% of air time for which they are paying and as soon as they start feeding, if they haven't started already some advertisements, the Broadcasting Corporation will honour this Agreement of giving them 40% of the air time, that is all.

HON P J ISOIA:

Mr Speaker, if what has happened was that Airtime International had purchased 40% of the GBC advertising time, full stop, we would congratulate the Board on having assured themselves of an income but is that the fact? Is not the fact, Mr Speaker, that in selling them this Agreement GBC has in fact given Airtime International exclusive handling of a great number of products and is that not in fact what the Chamber of Commerce communique said? What we are trying to do in this House is to find out. Is that a fact or not and if it is a fact, is it such a good deal, the taxpayers, Mr Speaker, are entitled to know, they are footing the bill?

HON CHIEF MINISTER:

I can only go by what I was told in the letter from the Chairman which says: "After some protracted bargaining, is about to conclude an agreement with Scottish television which will guarantee at least £140,000 per annum. (we hope the figure will be higher) for 40% of our commercial air time. The remaining 60% of our commercial air time will need to be sold - in the past the most GBC has managed to dispose of has been 48%". So, in fact that, to my understanding means that they have guaranteed, or rather, we have sold them 40% of our airtime and they have tried to obtain or not, whether they have tried to obtain or not the advertising that GBC has is another matter. Of course, it is another matter. If they have to pay to GBC £140,000 because they did not anticipate that they would find the difficulty that they are finding, that is their business and not GBC's business.

HON G T RESTANO:

Mr Speaker, on a point of clarification on the figures that the Chief Minister has said. He said that 40% which is being given to Airtime represents £140,000 and that GBC in any case never sold more than 48%. Well, I have here the Audited accounts for the year ending March, 1981, on which the GBC advertising revenue was £172,000, so in any case a lot more, more certainly, than what it would get from Airtime International.

HON CHIEF MINISTER:

I stand corrected, I am terribly sorry I have made a mistake. I was referring to the 48%. I said £148,000 and I have no basis on which to do that, I am sorry. I was referring to the fact that the most that GBC has sold was 48% for which we may have got whatever figure the Hon Member has there.

HON G T RESTANO:

On the basis therefore, Mr Speaker, of the 40% costing or producing a revenue of £140,000, 48% which is the maximum they have ever sold would have produced £168,000. In fact, their actual revenue in March, 1981, was more than that, it was £4,000 more and I am led to understand, of course, that the rates of air time will be greatly increased than what GBC charged before, perhaps the Chief Minister could confirm this either way.

HON CHIEF MINISTER:

I do not know and I have not asked about the rate for advertising. I have taken the view at this stage that this is a matter for the Gibraltar Broadcasting Corporation which is an independent statutory body. The time to discuss this will come under when the question of providing funds for GBC will be under review. At this stage, Mr Speaker, I do not hold myself at all responsible for the affairs of GBC. I think it is essential to keep its independence and to see when the time comes what the result of this is. I cannot go beyond that, because, that would be interfering in GBC. This Government wants to maintain the complete independence of GBC from pressures from any side of the political spectrum.

HON P J ISOLA:

Mr Speaker, does the Chief Minister not agree that we have the accounts of GBC brought to this House? Does he not himself answer questions very often on behalf of GBC? What can be the reason for his present reluctance to investigate matters that are of public concern? I would like to ask him. There is a situation at the moment when we know that GBC's revenues are being affected and must be affected by the lack of advertising. Eventually the Hon and Learned Chief Minister will have to come to this House and ask us to increase the subsidy. Is it not prudent on his part? Would it not be prudent to investigate factually what is happening as the Chief Minister, will he not agree, does not seem to be aware of the fact that with one hand GBC was going to collect £140,000 and with the other hand GBC is going to put on the plate of Airtime International Limited the efforts of the trade in Gibraltar, the efforts of its own sales scheme or whatever it is one calls it, on an exclusivity basis? Is that not a matter for concern for the Government, if that is correct?

HON CHIEF MINISTER:

First of all, I dispute the fact that I have answered for GBC, I may have answered from time to time in connection with the provision of funds by this House but I think, Mr Speaker, you will recall that my attitude in respect of the affairs of GBC has always been one of detachment - because it is an independent body. In addition, in this case, because there is a dispute. A serious dispute between a Statutory Body and a responsible representative body of trade. There are lawyers appointed on both sides, the matter is being discussed, I do not accept all the statements made about the question of exclusivity, it may be that airtime is just a situation and will come out badly out of this, that remains to be seen. So long as GBC does not come badly out of it and therefore we come badly out of it, I think that is something that we shall have to decide when the final accounts and this situation comes before this House. I have already suggested if it were a disaster what the proper action would be for those responsible for it.

HON MAJOR R J PELIZA:

Mr Speaker, perhaps before putting the question I should declare an interest. The company of which I am a director, used to advertise in GBC until the whole situation arose. Could the Chief Minister say if he has looked at the implications to the small

businesses in Gibraltar, forget about the money that this may render as income to GBC because of the competition that will put the small trader in Gibraltar perhaps with the big advertiser in the United Kingdom or perhaps on the other side of the frontier, has he looked into the repercussions that this could have to the small businesses of Gibraltar?

HON CHIEF MINISTER:

I think so, because after all if the agreement had been one in which GBC had sold all its airtime then, of course, you could say the big fish are taking it all. It seems that the big fish are taking nothing, but anyhow, the big fish are taking it all and there is nothing for the small fish. But with 60% available for the small advertiser here in Gibraltar, as already there are signs of few advertisements, anybody who watches television - that channel recently may have been abandoned a little due to the other circumstances - will notice that there are new advertisements. I do not know whether they come under the agreement or they come under the direct one. We have a sales representative, we have reinforced the staff in order to be able to sell that extra 60% time as the House well knows. Therefore I do not see that the small trader will be affected since the small trader has got every right to go to GBC's representative and seek airtime at the normal rate which GBC propound in their pamphlet which I have seen.

HON MAJOR R J PELIZA:

Doesn't the Chief Minister realise that if the rates that are being attained by the agents abroad are very high, locally there will be a demand for a similar rate?

HON CHIEF MINISTER:

I do not know what the rates are that have been demanded abroad but I have seen a brochure of GBC in which they state the airtime costs for advertisements and I have not been told that that is more expensive than the time that has been sold to Airtime.

HON P J ISOLA:

Mr Speaker, may I assure the Hon and Learned Chief Minister and other Members of this House, that with these questions what we are seeking to obtain is information. We are not seeking to make a judgement on the GBC agreement. Unfortunately the Chief Minister does not give us the information that we require and then judgements, does he not agree, will have to be made on the scant information that is available? Will the Chief Minister following this House make a point of investigating the exclusivity point that I have made because it seems to have escaped him entirely in his answer to what GBC told him. It seems that what GBC told him is the bright side, GBC did not tell him that they were in fact themselves going to pass on business through Airtime on an exclusivity basis. He does not seem to know that. Will he please investigate that because is it not of concern?

HON CHIEF MINISTER:

Yes, certainly, the question of exclusivity is a matter that I will look into. I was reading exactly from the only information I have on the matter and that did not refer to any exclusivity. I will certainly look into that one and I agree that it is relevant if it is exclusive.

HON P J ISOLA:

I am glad for that. Mr Speaker, may I ask another question? The Hon and Learned Chief Minister was told about this, we had a budget debate in Gibraltar on the GBC vote and in fact a lot was said on this side of the House at the apparent increase in the contribution. Why was not the House fully informed in respect of an agreement that was meant to have quite big financial consequences?

HON CHIEF MINISTER:

Well, I don't think that at the time that we had the budget we envisaged that there would be any dispute as it has arisen and it is fair also to say that at the time when we had the budget there were expectations which were going to be profitable for a lot of people including GBC in advertising if certain events occurred which have not occurred. That was a factor which may have had something to do with the whole question. The expectation of advertisement and so on may well have been different if the frontier had been open. I think that that is no secret and that it may well be that that was in the minds of the people when they asked for the contribution, I do not know. All I can say is that their prospect or their estimate of revenue and expenditure were looked at by the Treasury not as any other department because they are not a department, but they are looked at because we have to be satisfied that we have to fork out the difference and that there was no question, I am sure the Hon Financial and Development Secretary will tell this House, there was no question that there was going to be a loss in revenue through advertising at all during the discussion of the budget.

HON P J ISOLA:

May I say, Mr Speaker, that unfortunately the reason of that is that the whole agreement was not brought to the attention of the Government and we do not share, may I say at this stage, the view that GBC is entitled to enter into an agreement or enter into agreements that have financial consequences without full consultation and agreement of the Government because it is a very highly subsidised Corporation. We want it to be independent but on the other hand there has to be financial control from this House. Could I, Mr Speaker, ask the Chief Minister also to investigate the possibility in an effort to bring peace because I think everybody would like to see peace in this dispute, in an effort to bring peace to ensure that traders who have for years advertised their principal products on GBC should be able to continue to do so in Gibraltar in direct communication with GBC and not be forced to pay higher charges and going through a company that has been brought in to Gibraltar because GBC wanted to bring it in?

HON CHIEF MINISTER:

Mr Speaker, in the first place the question of desiring to exercise financial control over GBC is a very delicate area and we have to draw a very, very careful line between the exercise of financial control, of caring for the money and not interfering. Financial control could be a very good way in which to exercise political control and that is something we must avoid. With regard to the second part of the question, the Hon Leader of the Opposition is posing precisely the substance of the dispute which I have said is already in the hands apparently of solicitors on both sides, (a) whether GBC has got the right to do what they have done which they have advised they have, and (b) whether the Chamber has got the right to dispute what GBC has done. The legal advice we have received, at this stage, is that we should not get involved. The other advice is my political judgement and nothing else and the judgement of my colleagues. The immediate advice we have received is that at this stage we should not interfere and not even ask to see the Agreement.

HON P J ISOLA:

Mr Speaker, may I ask the Chief Minister if he doesn't know the answer to this question and that is whether there is a provision in the Agreement under which Airtime International can opt out or GBC can opt out, is he aware of that?

HON CHIEF MINISTER:

The answer to that is, I have not seen the Agreement and I don't know.

HON P J ISOLA:

May I ask the Chief Minister whether he would then invite the Gibraltar Broadcasting Corporation to give some information to the House? Will he have available for the House the kind of information that I have asked:- The effect on the Agreement on the revenues of the Corporation, the cost of advertising in Gibraltar and on the staffing requirements of GBC? Are we to expect, Mr Speaker, a reduction, for example, in staff at GBC as a result of this wonderful Agreement?

HON CHIEF MINISTER:

Mr Speaker, I am afraid we have lost a whole lot of time in questions because I have answered all those questions in the way the Government looks at it. I cannot answer in the way the Leader of the Opposition wants. I have made the position clear. I will report to the House when we next meet in October the outcome as such of the information that GBC may wish to give us in respect of this when they see the Hansard of this question.

MR SPEAKER:

I think what the Leader of the Opposition has asked you to do is whether you are prepared to find out this information.

HON CHIEF MINISTER:

No, I am not, not at this stage.

HON P J ISOLA:

Could I then ask, will the Chief Minister not agree that a Corporation that has received £834,000 from public funds voted by the Government, in consultation with the Government, can hardly call itself independent in the real sense of the word? That being the case, and the Government having a responsibility to this House on how public monies are spent, does the Chief Minister not agree that the House is entitled to have information, factual information on matters that may affect or could affect the size or otherwise of the subsidy that the Gibraltar House of Assembly is asked to provide for GBC?

HON CHIEF MINISTER:

Yes, when next year's estimates are gone into and GBC comes to us for money.

HON P J ISOLA:

Mr Speaker, will the Chief Minister not agree that where facts come to light that may affect that picture at the end of the year, it is far wiser and far more sensible to get the information sooner rather than later when all one has to do later may well be to sign the loss? Is he not aware that under the Ordinance the Members of the Board are in fact free of all personal liability and therefore it will be the House that will have to pay?

HON CHIEF MINISTER:

Yes, I think Members of the Board are perhaps more concerned with their situation and their standing than the question of liability. If in addition to asking people to devote a lot of time and hard work you are going to make them personally liable, then you would hardly expect people to put in the hours that are required for a thing of this nature. It is this difficulty of, the more the Hon Leader of the Opposition mentions the amount or the subsidy and the more he wants to say that that is why we should have more say, the more cautious one has to be not to interfere if we are going to have an independent Board. If it is the idea of anybody that the Corporation should be run as a Government Department then they are welcome to that idea. I will certainly not subscribe to it because I think that would be the end of the independence of GBC. The day that it is the end of the independence of GBC, it is the end of the independence of the media which can be manipulated and which would lead to other undesirable consequences. We have a period in which, perhaps, I could go as far as saying that GBC are on trial on this, in their confidence and their judgement, that I have no hesitation in saying. But until that comes out it would be interfering in the way in which they are running GBC if we wanted to go into the details that the Hon Member wants now. I certainly will report, I hope that there will be an early agreement, but I will report in any case to the House in respect of one or two

matters and I will certainly make available to the Corporation, with the help of the House, a copy of this Hansard so that they are aware how all Members in this House think about this matter.

HON P J ISOLA:

May I say, Mr Speaker, that we are not making a judgement on the agreement. The Hon and Learned Chief Minister is trying to imply that what the Opposition is doing is seeking to affect the independence of GBC; why he keeps saying that I am not quite sure. What we are doing, Mr Speaker, and what we want is to have factual information as to the effects of an agreement that involves money, that affects the subsidy-to get that information. Does he not agree that we are entitled to that information?

HON CHIEF MINISTER:

I think I would like to clear this because I am not suggesting that Hon Members opposite are trying to interfere in the independence of GBC, I am not suggesting that. I am defending its independence in the light of certain questions which I think affect it and this is where the difference of approach comes. The areas which the Hon Leader of the Opposition wants now to be gone into in my view now would interfere with its independence.

MR SPEAKER:

Next question.

THE HON P J ISOLA

Has Government increased the amount of advertising expenditure in relation to the Keep Gibraltar Tidy Campaign since the announcement of a boycott on advertising on GBC by the Gibraltar Chamber of Commerce and can Government give an estimate of such expenditure?

ANSWERTHE HON THE CHIEF MINISTER

The Government is not charged for any official notices or any advertisements such as those produced and transmitted by GBC in support of the Keep Gibraltar Tidy Campaign.

SUPPLEMENTARY TO QUESTION NO. 164 OF 1982

HON P J ISOLA:

Am I right then in thinking that what has happened is they have been filling up the gap, perhaps it might not be a bad idea, Mr Speaker, if this practice is continued.

HON CHIEF MINISTER:

We hope it has reflected in a cleaner Gibraltar.

HON J BOSSANO:

Mr Speaker, would the Government not agree that if we are talking about subsidies to GBC it might be more accurate to reflect the amount of free advertising that GBC is providing the Government with in assessing to what extent the Government is subsidising GBC?

HON CHIEF MINISTER:

I said official notices because naturally the other media which are not subsidised are paid for the official notices but things like that I do not think, they could be quantified, could be paid out of one side and allow for a reduction in the subsidy but I can assure the Hon Member that it is really, I was going to say 'cleaner' but I did not want to have a commercial.

HON J BOSSANO:

Would the Government not agree that in fact if it is in a situation where it has access to free advertising in GBC and to the extent that it uses that facility and if it were to pay for it it reduces the subsidy, there is in fact an economic rationale to channelling its advertising into GBC rather than into another media where they have to pay?

HON CHIEF MINISTER:

The Government's advertising can get nowhere near but if the Government pays for it it would mean that it would be less subsidy so the point is that it is not being quantified, I will get it quantified for the benefit of the Hon Member but certainly we would not pay for any extras because they have nothing else to put on the screen.

HON G T RESTANO:

Mr Speaker, would that not have to go through Airtime

MR SPEAKER:

No, order. The Chief Minister is not here to give legal advise on a contract which does not bind Government.

HON G T RESTANO:

Mr Speaker, has the Government been appointed as a client?

MR SPEAKER:

No, I have ruled the question out of order and I have given you the reasons why.

NO. 165 OF 1982

ORAL

THE HON P J ISOLA

Is it a fact that in future the GBC Weekly TV and Radio Guide will only be provided as an insert for the weekly newspaper Panorama and if so will Government investigate this matter?

ANSWERTHE HON THE CHIEF MINISTER

This is a matter for the Gibraltar Broadcasting Corporation.

SUPPLEMENTARY TO QUESTION NO. 165 OF 1982

HON P J ISOLA:

Mr Speaker, is the Hon and Learned Chief Minister not concerned to see the possibility of an independent Corporation showing bias or showing favours on a particular periodical in Gibraltar that might or might not support the Government of the day?

HON CHIEF MINISTER:

If the Hon Member visits certain open places where I have been, I am telling him what I have seen, there are hundreds of copies of the GBC Weekly free for people to take. Without having to buy a particular newspaper and let me tell the Hon Member that this was the case before in respect of another paper which could never be accused of favouring the Government.

HON P J ISOLA:

Is the Hon and Learned Chief Minister not guilty again, Mr Speaker, of just skimming the surface of the problem? Is not the problem that it is this particular newspaper only that gets all the information about programmes so that it can write up reviews and so forth and that this information about programmes or coming programmes and snippets and so forth that were provided up till very recently to all the other newspapers in Gibraltar is no longer provided? Does he consider that to be a fair situation from a Corporation that is meant to act independently and will he investigate the matter if he is not aware?

HON CHIEF MINISTER:

I am aware that there are free copies of the GBC Guide in many places and not necessarily by buying the newspaper but I shall investigate the matter.

HON P J ISOLA:

Will the Hon and Learned Chief Minister particularly investigate and use his undoubted authority and influence to try and persuade the Gibraltar Broadcasting Corporation to give the information as regards to programmes and everything to all the newspapers and not just to one? Is he aware that although the Guide is free and can be seen everywhere, it is of no use to newspapers that publish on a Thursday, a Friday or a Saturday because they only have two days to report on and will he try and have talks with GBC to try and put right what appears on the surface to be an unfair situation?

HON CHIEF MINISTER:

I said that I would investigate the position but I am certainly not prepared to use any power or any influence in connection with anything to do with GBC.

HON P J ISOLA:

Will the Chief Minister try and use his influence and power in order to try and obtain a fair situation?

HON CHIEF MINISTER:

I said I would look into it.

THE HON G T RESTANO

Sir, would Government consider making a worthwhile contribution to the Falklands Task Force Fund as a symbol of solidarity both with the Force itself as well as with the people of Gibraltar who have responded so magnificently?

ANSWERTHE HON THE CHIEF MINISTER

Sir, as the House will be aware, and following a suggestion made by the Hon J Bossano at our last meeting, the Government made a contribution to the running expenses of the Falkland Islands office in London. Insofar as the Task Force Fund is concerned, again the House will be aware of the magnificent effort which has been made by so many people in Gibraltar, following the leadership given by the Licensed Victuallers Association, in raising an amount of about £54,000. The Government considers that that contribution to this particular fund should be seen as a contribution by the public at large as a reflection of their individual and collective appreciation and recognition of the sacrifices made by the Task Force. The Government is, however, considering making a contribution to the Falkland Islanders who have suffered losses as the result of the war and for which donations have been publicly invited in order to make up the shortfall between Government reparation/insurance claims and the needs of the Islanders.

Perhaps the Leader of the Opposition would like to discuss this matter with me and, if we are agreed, in consultation also with the Hon Mr Bossano, we could then consider the amount of the donation to be made.

NO. 167 OF 1982

ORAL

THE HON J BOSSANO

Will Government give a firm commitment that by October this year it will enact legislation to enable employers to introduce nomination forms for the payment of sums due to the next of kin without the need for letters of administration?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, I will ensure that the draft legislation is submitted to Government in time to enable it to take this course of action if it approves the details of the measure. Can I add that I am aware this is a long outstanding matter and if the Hon Member will leave it with me I will expedite it.

SUPPLEMENTARY TO QUESTION NO. 167 OF 1982

HON A J HAYNES:

Mr Speaker, will the Attorney-General also consult the DOE and PSA agencies to ask their views on the matter and try and bring them into the scheme if possible?

HON ATTORNEY-GENERAL:

There is no reason why I cannot.

HON J BOSSANO:

Mr Speaker, surely, what I am saying would in fact affect the whole of Gibraltar. We are talking about legislation to which all employers public and private would be able to work to, it is not a question of it being done for the Gibraltar Government only, it is a question of legislation for the whole of Gibraltar.

THE HON J BOSSANO

When will Government expect to have completed its study of the proposals submitted for the privatisation of the Naval Dockyard?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the Government expects to complete its study of the proposals submitted for the commercialisation of the Dockyard by the end of August.

SUPPLEMENTARY TO QUESTION NO. 168 OF 1982

HON J BOSSANO:

Mr Speaker, what does the Government propose to do subsequent to its having completed its study, does it have a programme of how it intends to proceed having completed its study?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, if I may as I am working for the Government on this, the proposals from the consultants are expected at the end of July, they will then be considered by the Government. It will then in the light of the report received from the consultants have to decide how it is going to proceed. I think it is still early yet to say how it should proceed, it depends very much on the recommendations which come from the consultants.

HON J BOSSANO:

Mr Speaker, when the Minister said that the end of August was the anticipated completion date, does that imply that they expect by the end of August to have been in a position to make up their own minds as to the feasibility of the proposals and also for the British Government to have made up its mind about the feasibility of the proposals or does it mean that having made up their own minds by the end of August they then have to refer the matter to the British Government to see what the British Government view is?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

When the Government has reached its own conclusions it will have to put proposals forward to the British Government to look at, that may take well until towards the end of October.

HON J BOSSANO:

So that in fact whether the possible privatisation of the Naval Dockyard was on or not would not be known until both parties had made up their minds so in fact the time-scale is October than than August?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Mr Speaker.

THE HON J BOSSANO

Can Government state whether the air ban continues to be imposed by the Spanish Authorities?

ANSWERTHE HON THE CHIEF MINISTER

Sir, I can confirm that the Spanish Prohibited Area remains in being.

SUPPLEMENTARY TO QUESTION NO. 169 OF 1982

HON J BOSSANO:

Is Government aware whether it was intended to continue the air ban after the implementation of the Lisbon Agreement had, in fact, that materialised on 25 June?

HON CHIEF MINISTER:

The Spanish Government assured the British Government on 8 January that after the Lisbon Agreement was implemented early practical steps would be taken in the interest of air safety to adjust the application of the Spanish Prohibited Air Space. It is for the British Government to consider any further steps following the latest postponement. Gibraltar's views on the matter are, of course, well known to the British Government and indeed to the Spanish Government.

HON J BOSSANO:

Is it not a fact, Mr. Speaker, that the Spanish authorities have indicated that the restrictions on air space around Gibraltar are related to the military nature of Gibraltar and of the surrounding area and that consequently not entirely determined by the implementation of the Lisbon Agreement? Is this a fact or not?

HON CHIEF MINISTER:

Well, I think that the Lisbon Agreement was signed on behalf of the Government of Spain for the whole of Spain. It is no secret that at times it has been suggested that the Spanish Prohibited Air Space is because there is a military aerodrome in the place over which they claim sovereignty. There is no doubt about that, but there is no doubt about two of the facts that as far as I understand the Spanish Constitution, the Prime Minister speaks for the whole of the Spanish Nation and he so undertook under the terms of the Lisbon Agreement to do so on 8 January.

HON J BOSSANO:

But would not the Chief Minister agree that since the Spaniards themselves have drawn a distinction between the air restrictions by relating them to military activities on the Rock and the other economic restrictions that they have imposed on Gibraltar which

they related to their interpretation of the Treaty of Utrecht, it would be legitimate to ask Her Majesty's Government to pursue the discontinuance of the air restrictions in the context of Spain's membership of NATO?

HON CHIEF MINISTER:

I think that it should be a matter of knowledge to all NATO members some of whom send their aircraft to Gibraltar too and some of whom have also suffered as a result of the restrictions, not only in respect of the approaches to Gibraltar but in respect of all the flying in Spain which may require necessarily, apart from any commercial agreement, specific permission. I do not know whether NATO has any particular reciprocal clauses in respect of its membership as to over-flying apart from the fact that you would have to give notice. No, I think that the fact that the Spaniards have taken every opportunity to squeeze the people of Gibraltar whether it be on the military net or on the economic net is all a symptom of the same disease, the lack of understanding of the rights of the people of Gibraltar to determine their future and their determination to carry on doing so.

HON J BOSSANO:

Mr Speaker, whilst accepting the analysis as regards to motivation what I am asking the Hon and Learned Chief Minister is whether he would agree with me that given the distinction that the Spaniards themselves have drawn on this matter, does it not in fact give the British Government an opportunity now to point out to the Spaniards that they can hardly consider the British base in Gibraltar which is a NATO facility a threat to Spanish national security and that there can be no logical or defensible military reasons for saying that they have to impose restrictions on air space on Gibraltar from a military standpoint?

HON CHIEF MINISTER:

Yes, of course, I agree and I am sure that that will be taken up but I shall certainly pursue that aspect of it certainly we have taken every opportunity to draw attention to the fact that the air ban, any mishap - fortunately we have been very lucky - would have irreparable damage to any future relations between Gibraltar and Spain as a result of the air ban.

MR SPEAKER:

Next question.

NO. 170 OF 1982

ORAL

THE HON J BOSSANO

When does Government expect to be in a position to reply regarding the possibility of establishing a sanctuary for the Barbary Ape in the Upper Rock?

ANSWERTHE HON THE CHIEF MINISTER

The whole of the Upper Rock is already considered to be a sanctuary for all forms of wildlife which are fully protected by our legislation. A proposal has been received to fence off a large area of the Upper Rock to establish a "Monkey Park". Examination of the proposals, which will include extensive consultation with the Ministry of Defence, the Development and Planning Commission, the Scientific Authority, the Tourist Office and other interested parties, will be required before a final answer can be given and before I am asked when will this be done I would like to say that we only received the proposals a couple of months ago.

SUPPLEMENTARY TO QUESTION NO. 170 OF 1982

HON J BOSSANO:

Would the Chief Minister agree that the proposals of which I am fortunate to have been given a copy in fact appear on the surface, certainly to a layman, to make very sound reading and that there seems to be a great deal supplemented both from the conservation point of view and from the point of view of providing a tourist attraction in Gibraltar which are the essence of the argument? Would he not agree that on the surface they appear to make a lot of sense?

HON CHIEF MINISTER:

It makes a lot of sense. We will have to wait to see how much it costs because I always believe that for the meagre rations that appear on the estimates for the keeping of the apes, the attraction to the tourist is out of all proportion to the cost to us of keeping them there. But, for so long may they stay.

GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

Meeting of
12 October 1982
171 to 273

NO. 171 OF 1982

ORAL

THE HON P J ISOLA

Sir, can Government state what positive steps if any it has taken to protect Gibraltar as a finance centre and will Government make a statement on the matter?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, I take it that the Hon Member refers to the failures of two local financial institutions - a building society and an insurance company - to meet their liabilities to investors. If so, Mr Speaker, the answer is that the Government intends to bring to the House in the near future proposals to amend the relevant legislation so that there is better control and supervision over such companies. The legislation that would be affected is the Building Societies Ordinance and the Assurance Companies Ordinance. The Building Societies Ordinance was amended in the Finance Ordinance to give some immediate measure of control but a closer look at the Ordinance is now being undertaken.

I should mention, Mr Speaker, that the proposed review of the insurance legislation will be a complex one requiring expert advice which is not available locally. The Government is therefore seeking outside assistance and persons of the requisite calibre have already been approached and replies received. It is expected that a decision will be taken shortly on whom to appoint.

Pending a review of the insurance legislation it is proposed to examine the position of all insurance companies with a view to the implementation of new controls through the addition or variation of the conditions attached to the certificate that has been granted under Section 5 of the Assurance Companies Ordinance and through the making of rules under Section 10.

I should also mention that a new post has been created in the Treasury, that of Financial Sector Adviser.

Initially the Adviser will be responsible for the supervision of all finance sector activities, excluding banking, in particularly the vetting of applications connected with insurance companies, unit and investment trusts, and tax exempt companies. He will be responsible for the initiation and maintenance of legislation to provide a sound framework for the development of Gibraltar as a finance centre and for the on-going supervision of activities within the centre. He will assist the Banking Supervisor and act for him in his absence. The intention is that, after training, both locally and overseas, the Financial Sector Adviser will also assume responsibility for banking supervision.

SUPPLEMENTARY TO QUESTION NO. 171 OF 1982

HON P J ISOLA:

Mr Speaker, I welcome that statement but could I at the same time whilst appreciating the balance that has to be maintained, will Government ensure that the legislation that is to come forward in these matters is brought to the House as quickly as possible so as not to lose the impetus that Gibraltar possibly has as a finance centre and not to lose the positive sides of Gibraltar as a finance centre in efforts to get everything right. Does he not agree that it is essential that legislation on the proposals should be brought forward at an early date?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, the Government agrees that it is important that legislation should be brought forward at an early date and the present intention is to bring the legislation to the House early in 1983.

THE HON MAJOR R J PELIZA

Can Government give an explanation as to the circumstances that have led to Gibraltar getting a bad name in the financial world through the collapse of Signal Life and what action, if any, is being taken to prevent the likelihood of a recurrence?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I regret that I am not in a position to give the explanations sought by the Hon and Gallant Member.

The circumstances surrounding the case of Signal Life Assurance Company Limited are still far from clear at this stage. The company has failed to produce by the 5 October the report and information required by the notice served on it on the 5 August. Details of the notice were published in the local press and in the Official Gazette. The returns and information sought would hopefully have clarified the position. As it is, the Government is now obliged to consider the cancellation of its certificate and to appoint an independent firm of auditors or inspectors to report on the company's affairs.

This, Mr Speaker, will be an expensive affair given the international nature and scale of the activities of the company but I think that the House will agree that it behoves the Government to ensure that the situation is clarified both in the public interest and that of Gibraltar's reputation as a finance centre. Token provision of funds for the purpose will be sought at a later stage in these proceedings.

Finally I should mention, Mr Speaker, that the company met the close scrutiny which is applied to all applicants for certificates under the Ordinance. Highly satisfactory references were produced for promoters of the company.

SUPPLEMENTARY TO QUESTION NO. 172 OF 1982

HON MAJOR R J PELIZA:

In view of the damage that this has done and the bad press that we have been getting particularly in the United Kingdom, could the Hon Financial Secretary undertake to give some publicity as to the action that the Government is taking so that they see that we do take this matter very seriously in Gibraltar and that we are doing everything possible to prevent a reoccurrence?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Mr Speaker, as I mentioned in my reply, the direction which was served on the company requiring it to provide information was published as an official notice in the Gazette and through the papers and it was also brought to the attention of the financial press in the United Kingdom and the action that the Government will now take because of the failure of the company to meet the requirements set out in the directive will also be given equal publicity.

NO. 173 OF 1982

ORAL

THE HON A T LODDO

Sir, how many Government vehicles are there of Japanese origin?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

The Government owns fifty vehicles of Japanese origin. Ten of the vehicles are saloons, thirteen motorcycles and twenty-seven other vehicles, including vans, lorries and tippers.

SUPPLEMENTARY TO QUESTION NO. 173 OF 1982

HON A T LODDO:

Mr Speaker, when purchasing these vehicles does Government take into consideration the cost of spares and the availability of spares?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Sir.

HON A T LODDO:

Mr Speaker, do these spares compare favourably with spares for cars of British origin?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I have not got the details immediately available, Sir, but my understanding is that the spares are more readily available and although they may be expensive, on balance, it is better to purchase the Japanese vehicles than others listed which may be not merely British manufactured or any other manufacture.

HON MAJOR R J PELIZA:

In view that we seek aid from the United Kingdom and that is forthcoming, isn't it the wrong policy to purchase non-British items such as Japanese cars when in fact this could have

MR SPEAKER:

With due respect, I think there is a specific question on that. Next question.

THE HON P J ISOLA

Sir, when considering tenders for motor vehicles or plant and equipment will Government give preference to such motor vehicles or plant or equipment that is actually manufactured in the United Kingdom?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

No, Sir. The determining factor in the award of tenders cannot be the origin of the article. Subject to the article satisfying the tendering Department's technical specifications the Treasury Tender Board's prime consideration is that of value for money. To apply the Hon Member's criterion as a matter of general policy could lead, in some cases, to uncompetitive tendering and restrictive practices.

SUPPLEMENTARY TO QUESTION NO. 174 OF 1982

HON P J ISOLA:

Mr Speaker, does not the Financial and Development Secretary agree that it is the desirable policy for the Gibraltar Government that depends so much on aid from the British Government and from the British taxpayer, that as far as possible it should purchase British and is it not possible to make a set of rules to enable the Government to distinguish when tenders are in fact uncompetitive and when they are not? Is it not desirable policy to follow what I have just said?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

If articles are being purchased with UK development aid we are required to purchase them from the United Kingdom unless they are on a list of materials which can be purchased locally, for example, from Morocco or Portugal, but the British Government itself in its aid policy recognises that whilst aid and trade go together, aid should not be used to support uncompetitive prices put forward by British manufacturers and in fact if we were on a specific tender to go for a UK tender which was significantly higher than a tender from another country and seek aid on it, we would probably find ourselves in difficulty with the ODA in justifying going for the higher cost article. That having been said, I agree with the Hon and Learned Leader of the Opposition that where there is no substantial difference between costs then by preference one would buy British.

HON P J ISOLA:

I am glad to hear that last bit of the answer because is the Financial Secretary not aware that a number of visitors to Gibraltar, including Members of Parliament, have commented adversely on the fact that British aid comes to Gibraltar one way and Gibraltar aid seems to go in the direction of Japan and will he not agree it is rather embarrassing for the Gibraltar Government in situations such as that and it was certainly embarrassing for me to find that all the Police cars, for example, are of Japanese origin? Does the Government not agree that there is a need to be conscious of the principle to buy British whenever possible?

MR SPEAKER:

Next question.

NO. 175 OF 1982

ORAL

THE HON P J ISOLA

Sir, can Government state the expenditure head by head under the Improvement and Development Fund up to 30th December, 1982? There is a misprint here, Mr Speaker, it should read up to the 30th September, 1982.

MR SPEAKER:

With due respect to the Hon the Leader of the Opposition, that was the way the question was received.

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

On the assumption that the Hon Leader of the Opposition is, as is his practice, seeking information on actual and not projected expenditure I have taken his reference to mean the 30th September, 1982. Recorded expenditure on the Improvement and Development Fund to that date presently stands as follows:-

		£
Head	101 Housing	1,189,967
	102 Schools	1,136,503
	103 Tourist Development	116,166
	104 Miscellaneous Project.	214,057
	105 General Services	96,927
	106 Potable Water Service	94,228
	107 Port Development	119,517
	108 Telephone Service	170,660
	109 Public Lighting	19,244
	110 Electricity Service	1,011,597
	TOTAL	<u>£4,168,866</u>

SUPPLEMENTARY TO QUESTION NO. 175 OF 1982

HON P J ISOLA:

Mr Speaker, although Government spending seems to be on target in respect of housing, schools and the electricity service, there seems to be substantial slippage under all the other heads, is there any particular reason for this on the estimated expenditure?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Certain of the projects have only recently been approved by ODA and we have had to go out to tender to them, others particularly the telephone service and the electricity service, there are bills of exchange outstanding which we shall need to meet when the consultants confirm that the goods and services have been provided.

HON P J ISOLA:

Mr Speaker, I am particularly concerned, actually, with tourist development and port development, there there seems to be a considerable slippage and I would have thought that in both those areas there was an urgent need for progress.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think, Sir, that on the tourist complex the problem there is that we put in a project to ODA for the pedestrianisation of Main Street and we are expecting to spend £ $\frac{1}{2}$ m this year, they sought a lot more information on this and we have to revert on the project. On the port area again we were expecting to start before now on expenditure on the causeway and that is the main area where we have slippage.

MR SPEAKER:

Next question.

NO. 176 OF 1982

ORAL

THE HON W T SCOTT

Sir, have any further sums of public money been spent since the end of February 1982 in the possible implementation of the Lisbon Agreement and if so will Government give details of such expenditure?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, expenditure incurred since the end of February 1982 in the possible implementation of the Lisbon Agreement is as follows:-

British Lines Road Laguna Estate Coach Park USOC Site	£119,735
Four Corners and other Car Parks	£ 17,815
Road Markings	£ 1,819
Traffic Lights	£ 12,664
Four Corners - Customs	£ 3,348
Traffic Signs	£ 3,033
Queensway - Romney Huts	£ 21,500
	<u>£179,914</u>

SUPPLEMENTARY TO QUESTION NO. 176 OF 1982

HON W T SCOTT:

There was a mention of some traffic lights at a cost of £12,664, would the Minister care to say where they are?

HON M K FEATHERSTONE:

Yes, Sir, they are at the end of Sir Herbert Miles Road at the junction at Glacis.

HON W T SCOTT:

That is the one that has already been installed. I seem to remember, also dealing with traffic lights, that some while back, in fact last year or the year before, there was also talk of putting some traffic lights on or around Waterport, has any provision been made for that?

HON M K FEATHERSTONE:

I think I have a question later, Sir, on a pelican crossing and in the answer to that I will be discussing the whole question of traffic lights.

HON W T SCOTT:

Does Government intend putting the car parks which are not yet completed in use before the Lisbon Agreement is implemented?

HON M K FEATHERSTONE:

Sir, the car park at the aerodrome is already in use, the car park at Queensway Romney Huts is already in use, the part that was going to be excised from the Alameda car park is still being used and as soon as we finish a certain amount of resurfacing the USOC area will also be available as a car park.

THE HON J BOSSANO

Can Government state whether firms that take on work at the Dockyard require a licence under the Trade Licensing Ordinance?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Mr Speaker, firms providing a service specified in the Second Schedule of the Trade Licensing Ordinance require to be licenced under the Ordinance if undertaking work anywhere in Gibraltar, including the Dockyard.

SUPPLEMENTARY TO QUESTION NO. 177 OF 1982

HON J BOSSANO:

Mr Speaker, does that mean in fact that firms that are undertaking work on the RFA refits, and there have been a very large number of them, are required to have a licence or not? The range of firms is something like thirty-two.

HON A J CANEPA:

I am not sure under what heading particular firms would come, Mr Speaker, but what I can say is that licences are not required for ship building and marine maintenance. If it comes under the latter, marine maintenance, then because that is not in the Second Schedule a licence would not be required for that.

HON J BOSSANO:

But, in fact, Mr Speaker, it seems that a lot of these firms are in competition with local firms that are licensed to trade. How is it that the local firms apparently require a licence and the UK ones do not?

HON A J CANEPA:

I would have to look at the thing specifically, Mr Speaker, but as I say there is a list of services specified in the Second Schedule regardless of whether the Dockyard is involved or not. Presumably these firms that the Hon Member is referring to are dealing in a trade which is not listed in that Second Schedule.

MR SPEAKER:

I think the answer to the question has been clear. If they are engaged in trades which are included in the Second Schedule then they most certainly require a licence, whether they have or not the Minister does not know. Next question.

NO. 178 OF 1982

ORAL

THE HON J BOSSANO

Can Government state how many UK firms have applied for Trade Licences to take up contracts with DOE in 1982?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, ten applications and five notices of intention to apply for business licences to undertake works for the PSA/DOE have been received this year.

SUPPLEMENTARY TO QUESTION NO. 178 OF 1982

HON J BOSSANO:

Can the Minister confirm that this is an unusually high figure when compared for a similar period in previous years?

HON A J CANEPA:

No, I am unable to confirm that. I do not have information regarding previous years.

HON J BOSSANO:

Mr Speaker, will the Hon Member take it from me that this is the case and could he try and investigate why it is that the DOE seems to be particularly keen in the last year or so to put work to UK firms that have not previously traded in Gibraltar whereas in the past the work has apparently been undertaken satisfactorily by local firms?

HON A J CANEPA:

The position, Mr Speaker, is that in fact so far seven applications have been approved and I am informed that under the terms of the licences six of the firms can only undertake specialised work for the PSA, in fact the licence will only be renewed on receipt of confirmation from the PSA that the company is required to continue to provide these essential services and the services that these firms are providing are, for instance, mechanical engineers on desalination plants, secondly, inspection and repairs of steel chimneys and pylons, the installation and maintenance of fire protection and detection equipment, air conditioning and mechanical services engineers, boiler repairers and, finally, electrical and mechanical engineers for servicing distillers. They are only given, as I say, for a specific contract and they are not very often renewed, I do not think.

HON J BOSSANO:

Would the Minister agree that there is no apparent expansion suddenly of DOE presence in Gibraltar and presumably all these services were being carried out by local firms employing local labour and we are finding nowadays that there are UK firms bringing in UK labour which,

of course, has a detrimental effect on the level of employment? Would he not say there appears to be a change in policy for no apparent reason since the DOE's role in Gibraltar has not changed dramatically in the last twelve months?

HON A J CANEPA:

Mr Speaker, I imagine that this is a matter that is gone into by the authority. I think they take into account the suitability of applications to undertake work on the evidence which is produced at hearings. I get minutes of all the meetings of the Trade Licensing authority. I do not interfere with their deliberations because they are a quasi judicial body, it is a well-balanced authority with majority representation from independent members including the Trades Council and the Chamber of Commerce, and I am aware of the fact that they go into their deliberations very, very thoroughly and very often there is even legal representation from firms that object and I am satisfied that matters are gone into very thoroughly. I am only on the periphery of matters and if as a result of reading minutes I am not able to get to the root of any particular case I ask questions about it, I get information from the Chairman but that is as far as it goes. I am not aware in the ten years or so since the Trade Licensing Ordinance has been in force, I am not aware that the Government gives directives as a matter of policy to the authority. What we do from time to time is to amend the Ordinance to bring into the ambit of the deliberations of the authority certain matters of policy which we think should be gone into but we do not give directives.

HON J BOSSANO:

Mr Speaker, I was not asking the Government to look into the operation of the Trade Licensing Committee, presumably the Trade Licensing Committee is giving licences to contractors that have already been awarded a contract by the DOE subject to their getting a licence. What I am asking the Minister is to look into why it is that the DOE is giving contracts to new firms who are not established in Gibraltar? Is he aware, in fact, that the last firm which obtained a licence and had previously obtained a contract for the DOE is in respect of the painting of the Naval Hospital for which there is adequate capacity, I would have thought, in Gibraltar, is he aware of that, there is nothing specialist about that?

HON A J CANEPA:

I had a note on that particular one. Yes, it is a fact that there is a firm that has been given a licence to undertake the specific painting contract of the old Naval Hospital. It does not entitle the holder to a renewal, I am informed, but as a result of the exchanges that we have had in the House this morning, I will try to make the necessary enquiries.

HON W T SCOTT:

Mr Speaker, I do not know whether in fact the Hon Minister can answer this one, but is it a pre-requisite at tendering stage of any prospective tender for a contract at DOE to already have a licence in his possession or is it a case of the DOE awarding a contract to a

particular company and then that company soliciting a licence because if it is the second one, in fact, that is a great danger with the Trade Licensing authority of refusing that application?

HON A J CANEPA:

I do not think that it is a pre-requisite, I think the tender may be awarded subject to the company getting a trade licence.

MR SPEAKER:

Next question.

NO. 179 OF 1982

ORAL

THE HON G T RESTANO

Mr Speaker, have the rules pertaining to the Public Health (Amendment) (No 2) Ordinance, 1981 in connection with the control of speedboats and their users now been completed?

ANSWERTHE HON THE ATTORNEY-GENERAL

Sir, the rules in question, namely the Seaside Pleasure Boats Rules, 1981, were published on 25th June, 1981, and came into operation on 15th July, 1981, that is, on the day after the Public Health (Amendment) (No 2) Ordinance, 1981 became law.

SUPPLEMENTARY TO QUESTION NO. 179 OF 1982

HON G T RESTANO:

Would the Government give details of how these rules have been enforced?

HON ATTORNEY-GENERAL:

Mr Speaker, perhaps the main point of the rules is to require people under the age of eighteen to get permission, not a formal licence because it is not that complex a matter, but permission before they may operate power boats and in fact this is now being administered, young people who want to operate power boats go to the Captain of the Port, they are given a form which is rather like the traffic form, it gives a number of questions relating to the rules, they come back and they are given an oral examination by the Marine Officer, they bring their own boats and they are taken for a practical test on the water. Apart from that, of course, the rules do provide for a restricted zone adjacent to the beach areas into which power boats cannot come except down marked channels and adjacent zones where they are restricted as to what they can do by way of speed and proximity to swimmers which is another 200 yards from the shore and I am informed that in practice this summer it has been found that the threat by speedboats or the dangers posed by them is not what it was and this new rule seems to be working.

HON G T RESTANO:

Mr Speaker, are these tests of competence a frequent occurrence or are few people taking advantage of taking these tests?

HON ATTORNEY-GENERAL:

An option does not come into it legally, Mr Speaker. Anybody under eighteen who wants to operate a power boat must obtain the permission or the authority of the Captain of the Port by undergoing one of these tests. It is a once only test but anybody who operates a boat without taking it is breaking the law.

HON G T RESTANO:

Have there been many people this summer coming in and taking the test?

MR SPEAKER:

We are not going to get to that stage, with due respect. We are not going to get involved in this House as to the administration of it. This, I am sure, you can obtain from the pertinent authority but we must not get bogged down on the actual implementation of each regulation.

HON W T SCOTT:

Mr Speaker, the Hon and Learned Attorney-General mentioned the beaches. What other areas, for example, encompass or are established within the rules?

MR SPEAKER:

No, with due respect, if you read your regulations you will find out for yourself. Next question.

NO. 180 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, how many prosecutions have there been over the last two years for illegal fishing with aqualungs?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, there have been no prosecutions of illegal fishing with aqualungs, ie during this period.

SUPPLEMENTARY TO QUESTION NO. 180 OF 1982

HON A T LODDO:

Mr Speaker, can I ask why, seeing that illegal fishing with aqualungs is going on almost all the time in winter and in summer?

HON ATTORNEY-GENERAL:

I am not sure that I can answer why, Mr Speaker, I can say that the Police, especially the motorboat crews, do patrol regularly but the fact of the matter is there have not been any prosecutions.

MR SPEAKER:

Next question.

NO. 181 OF 1982

.ORAL

THE HON A J HAYNES

Sir, will Government take readings of the aural levels at King's Bastion Generating Station and the New Generating Station and thereafter make this information known to the House?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

Yes, Sir.

NO. 182 OF 1982

.ORAL

THE HON G T RESTANO

Will Government state when it intends to present legislation in respect of the sale of medicinal products requiring a doctor's prescription?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, I am hopeful that the necessary subsidiary legislation will have been published before the next meeting of the House.

NO. 183 OF 1982

ORAL

THE HON G T RESTANO

If, as seems clear, there is a need for St Bernard's Hospital to possess a scanner will the Minister for Health and Housing explain why this has not been purchased by the Government rather than having to rely on the praiseworthy efforts of the Lions Club of Gibraltar to obtain one?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Mr Speaker, as the Hon Member well knows, all departments of Government have to restrict themselves to the funds available and, as far as the health department is concerned, such monies are spent in accordance with a strict priority list which far exceeds the funds which can be made available in any one year. Because of this it is always very deeply appreciated when charitable groups come forward and devote their efforts to supplementing our requirements and helping the community.

SUPPLEMENTARY TO QUESTION NO. 183 OF 1982

HON G T RESTANO:

Does the Minister not accept that there is a need for a scanner in the hospital?

HON J B PEREZ:

Mr Speaker, I would say that there is a need for a scanner in the hospital as well as there is a need for any other items of equipment but perhaps I ought to explain that the position is that a charitable association, as in this case the Lions, approached the hospital and said: "We would like to make a donation of up to £15,000 to £20,000. What have you got in your list of priorities which you would like us to purchase?" Of course we go down our list and we say: "We were either going to buy the scanner next year in 1983 or 1984, we would like you to buy a scanner". This is how it works, in the same case as we may have some other charitable organisation saying: "We would like to spend up to £1,000", so we look at our list and we look at the top of our list and say: "We would like you to spend £1,000 on this", this is how it works.

HON G T RESTANO:

Is it not the responsibility of Government to produce and to possess the equipment that is required and that it needs rather than having to rely on charitable organisations to provide it for them?

HON J B PEREZ:

Mr Speaker, the Government is not relying on charitable organisations. When there is a piece of equipment which is essential for the community, it is essential for the hospital, the Government buys it. What I am saying is that there is a distinction between what is essential and what is desirable. It may well be that there may be a new piece of equipment which does away with the scanner for next year, then that equipment would be desirable but may not be essential. The Government buys what is essential for the community.

MR SPEAKER:

Next question..

NO. 184 OF 1982

ORAL

THE HON G T RESTANO

Would Government confirm whether one of the doctors at the Health Centre is due to leave Gibraltar and if so state when he is to be replaced?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Mr Speaker, it is confirmed that one of the GPMS doctors will be leaving at the end of October and recruiting action is already in progress. In the meantime, the department is in correspondence with a medical officer who might fill any hiatus as a locum.

SUPPLEMENTARY TO QUESTION NO. 184 OF 1982

HON G T RESTANO:

When, Mr Speaker, will the advert go out for a new doctor?

HON J B PEREZ:

The adverts have already gone out, Mr Speaker.

HON G T RESTANO:

Where have they been advertised?

HON J B PEREZ:

In UK and in Gibraltar.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Does not the Minister for Health and Housing agree that the apparent growing practice of Consultants at St Bernard's Hospital seeing patients privately is seriously undermining the possibility of patients in the Group Practice Medical Scheme requiring appointments with the Consultants being attended as promptly as desirable and would the Minister take necessary steps to curtail this practice?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

No, Sir. I am satisfied that the Group Practice Medical Scheme is not being jeopardised by private practice.

SUPPLEMENTARY TO QUESTION NO. 185 OF 1982

HON G T RESTANO:

Would the Minister not agree that patients referred to the Consultants by doctors in the GPMS have a much longer waiting period to have an appointment with the Consultant than a patient who goes to see the Consultant privately?

HON J B PEREZ:

No, Sir.

HON G T RESTANO:

Mr Speaker, I can only say that if that is what the Minister knows about his own department he knows very little about his own department because it does occur and I would ask the Minister therefore to investigate whether it is not correct that patients who are given an appointment, say, three weeks from the time they are referred are also advised that they can see the Consultant the following day if they go privately and pay a private fee?

HON J B PEREZ:

Mr Speaker, let me say that I can inform the Hon Member that I know of many public patients who are in fact seen well before private patients.

HON G T RESTANO:

I have asked the Minister, Mr Speaker, whether he will not investigate the matter?

HON J B PEREZ:

If the Hon Member has evidence in connection with any particular Consultant I undertake to investigate fully and then report to the House.

HON P J ISOLA:

Does the Minister have any knowledge of any single patient in the GPMS who has seen a Consultant privately and if so can he think why he should have done this?

HON J B PEREZ:

Mr Speaker, under our scheme a patient has a right to either go public or go private, of course, I know of patients who have gone privately to see Consultants and this is why I am saying that I know that a particular patient with a particular illness has been seen privately by one Consultant and he has had to wait for a month and I know somebody who has gone publicly and has been seen within two weeks.

HON P J ISOLA:

Mr Speaker, I do not think the Hon Minister has got my question. Can he think why a patient who is entitled to see a Consultant for nothing and quickly, as the Minister states, should see him privately from the GPMS and pay? Must it not be that that is the quickest way of seeing him, it seems to me logical?

HON J B PEREZ:

Mr Speaker, I take the point that the Hon Leader of the Opposition is making and let me say quite categorically and quite clearly in this House that this is not so. However, there are many people here in Gibraltar who like to say: "I am going private", because they may think in their own minds (1) that they get a better service, or (2) that they are seen before, but let me assure the House, Mr Speaker, that this is not so and as I said already to the Hon Member, if there is any evidence against a particular Consultant please let me have it and I will investigate.

HON P J ISOLA:

May I suggest to the Minister would the Minister consider asking the paid staff at the hospital, the clerical staff, to enquire from patients who belong to the GPMS, each patient that comes, why it is that he has sought a private appointment? That way, surely, Mr Speaker, he would be able to carry out the investigations he has promised my Hon Friend.

HON J B PEREZ:

I have not promised, Mr Speaker, an investigation what I have promised is if I am given the evidence against a particular Consultant I will investigate. On the point raised by Mr Isola I do not think I have any right to ask any person who decides to go privately why he has gone privately, this is a right which any individual has, if he wants to pay he can pay and if he wants to afterwards go out and tell his friends and relatives that he has paid because he wanted to go private and he has got a better service, and I say he is wrong, then it is up to him.

HON P J ISOLA:

Does the Minister not agree that he does not know why the GPMS patient has gone private unless he asks him and that is the investigation I am asking him to institute because does he not consider it rather odd that a person who can see a Consultant for free should choose to pay? Nowadays the tendency, is it not, is for people to try and get something for nothing so does he not consider it odd that a member of GPMS should choose to pay when he does not have to pay and does that not require some enquiry on his part if the allegations that have been made by my Hon Friend are to be refuted?

HON J B PEREZ:

Mr Speaker, one further point. As far as people going for medical treatment are concerned I do not think one can say that they want something for nothing, that may be applicable to many other services which the Government provides but in my opinion after being Minister for three years, I do not think that applies to medical services.

HON P J ISOLA:

Could it be, Mr Speaker, that they pay because, as my Hon Friend has suggested, they get prior service, does that not require investigation?

MR SPEAKER:

We are now supposing. Next question.

THE HON G T RESTANO

Would Government not agree that the post of Coroner would best be filled by a doctor?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, the appointment of Coroner is governed by Section 3 of the Coroner's Ordinance Cap 34 which provides that the Governor shall from time to time by warrant appoint some fit and proper person to be the Coroner of Gibraltar, and may assign to the office either by way of salary or by payment of fees such remuneration as he may deem fit.

The Government is satisfied with the present arrangements.

SUPPLEMENTARY TO QUESTION NO. 186 OF 1982

HON G T RESTANO:

Would the Government not consider that a doctor is in a better position to understand and to fulfil the functions of Coroner than somebody who is not a doctor?

HON J B PEREZ:

No, Sir.

HON P J ISOLA:

Why is it then that in the United Kingdom most Coroners are doctors?

HON J B PEREZ:

That is not correct, Mr Speaker.

HON P J ISOLA:

Is the Minister certain in his answer that that is not correct? Is it not the practice in the United Kingdom now wherever possible to fill the post of Coroner by doctors?

MR SPEAKER:

You are not supposed to answer that question, you do not know what happens in the United Kingdom, you are not responsible for that. Next question.

NO. 187 OF 1982

ORAL

THE HON G T RESTANO

For how long and for what reason has Gibraltar been without an ophthalmologist?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, Dr Clarke our Consultant Ophthalmologist terminated his contract on the 16 June, 1982, and before leaving was most helpful to the department in arranging a series of locum cover over the period 20 June to 11 September, 1982.

Recruiting action had already commenced in April, 1982, when the vacancy was advertised in the professional journals in the United Kingdom and locally. The closing date for applications was set at 30 April, 1982; interviews were held in the United Kingdom on 28 May, 1982, and the successful applicant notified on the 9 June, 1982.

It is expected that our new Consultant Ophthalmologist will take up appointment at the beginning of November, 1982.

THE HON G T RESTANO

Will the Minister for Health and Housing inform this House whether he has been able to effect any improvement to the filing system at St Bernard's Hospital?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, the question of making improvements to the filing system at St Bernard's Hospital has continued to be the subject of investigation and the possibility of computerising these records is currently under consideration.

As an interim measure, extra space has been found in the hospital in order to decongest the present Records Office. This will ameliorate the situation until a final decision is taken on the definitive system of maintaining these records.

SUPPLEMENTARY TO QUESTION NO. 188 OF 1982

HON G T RESTANO:

Has the Government considered the use of microfilm?

HON J B PEREZ:

Yes, Mr Speaker.

HON G T RESTANO:

Has it taken the decision to use microfilm?

HON J B PEREZ:

Not yet, Mr Speaker. As I say in the answer to the question, unfortunately we have not yet come to a final decision.

HON P J ISOLA:

Why does it take so long to come to a decision on such a simple matter as the filing system?

HON J B PEREZ:

Mr Speaker, it is not such a simple matter as the Hon Leader of the Opposition thinks.

HON P J ISOLA:

What are the problems involved that make the decision so difficult, Mr Speaker, is it what we have seen in the Electricity Department and things like that?

MR SPEAKER:

Next question.

NO. 189 OF 1982

ORAL

THE HON J BOSSANO

Can Government state what is the position regarding the negotiations for the joint use of the Naval Hospital?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, discussions between the Director of Medical and Health Services and the new Medical Officer in charge, Royal Naval Hospital, are continuing but no firm conclusions have been reached.

SUPPLEMENTARY TO QUESTION NO. 189 OF 1982

HON J BOSSANO:

Are these discussions, Mr Speaker, on the basis of the Ministry of Defence continuing to be responsible for the Hospital and making it available to the Gibraltar Government or are they discussions on the basis of possible joint control and the Gibraltar Government being responsible for the whole or part of it?

HON J B PEREZ:

Mr Speaker, Sir, the truth of the matter is that the discussions are in fact of a very, very general nature and in fact the discussions are centred on both suggestions which have been put forward by the Hon Member opposite but as I say the discussions are indeed of a very general nature and no firm proposals have been made either way.

HON J BOSSANO:

Would the Minister agree that if at any stage it became more definitive than the way he has described it, it would require the involvement in the consultations of the staff side who might be affected by any changes in both hospitals?

HON J B PEREZ:

Absolutely, Mr Speaker.

MR SPEAKER:

Next question.

NO. 190 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government undertake not to allocate or allow the allocation of any new houses including St Joseph's Estate to people who have not been on the Waiting List for at least five years?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, the allocation of new Government-owned houses is governed by the Housing Allocation Scheme which provides that no application for accommodation will be considered until the applicant has been on the waiting list for a period of two years from the date the application is received.

Since it normally takes applicants over five years to accumulate sufficient points to qualify them for accommodation there is no sufficient reason for extending the present two year period as proposed by the Hon Member.

SUPPLEMENTARY TO QUESTION NO. 190 OF 1982

HON A J HAYNES:

Mr Speaker, I do not think the Minister has answered the question. I quite appreciate that two years is the requisite time before your points even begin to count. My concern, Mr Speaker, and perhaps the Minister will turn his attention to this and answer the question in the light of this information. Will the Minister confirm or deny that people who have been on the housing list for less than five years are nevertheless granted a sudden increase in pointage as a result of Clause 1(f) or whatever it is called and, alternatively, as a result of an increase in pointage following eviction or the house being condemned? Will he confirm that those people are entitled to a house on occasions before they have been on the list for five years?

HON J B PEREZ:

Every person is entitled to a house provided he is at the top of the list, provided, as I say, that he has been more than two years. Yes, I can confirm that there may have been cases in the past in which people either due to medical category or due to the fact that their houses may be unfit for human habitation or people who have been evicted by an order of the Court, it may well be that people have been on the waiting list for less than five years. What I am saying to the Hon Member is that as the scheme stands before two years you cannot qualify, after two years yes, but since it normally in I would say 99.9% of cases it takes people well over five years to qualify for a house there does not really seem any need to extend this. However, if what the Hon Member is saying is that I should now consider that if a person is living in a house and he is dispossessed by an order of the Court or a person whose house is declared unfit for human habitation or his roof caves in and he has only been in the waiting list for three years, if the Hon Member is saying that that person should not get a house then let him say so.

HON A J HAYNES:

Mr Speaker, I am not saying he should not get a house, he should not get a new house and I will say that, I am saying that now. Why will the Minister not answer the question, he seems to understand it. Are we having a Minister rather like in the style of the previous one?

MR SPEAKER:

Order. Do you wish to answer the question?

HON J B PEREZ:

I do not know what the question is.

MR SPEAKER:

The question is a very simple one. Will the Minister change the rules so that no new houses are allocated to a person who has not been in the housing list for at least five years?

HON J B PEREZ:

I have already said no, Sir.

HON A J HAYNES:

He said no without answering the question, Mr Speaker, he said no on different facts. We are encumbered with a similar style of Minister, Mr Speaker.

MR SPEAKER:

The answer to the question has been no.

HON P J ISOLA:

May I ask, Mr Speaker, whether he has yet seen the proposed allocation list for the new housing at St Joseph's and is there anybody in that list who has been on the waiting list for less than five years?

HON J B PEREZ:

I have not looked at the list closely, the Committee has met and has decided on the allocation already, to be perfectly honest, Mr Speaker, I do not know if Mr X or Mrs X has a house, I do not know. I intend to act on the recommendations of the Allocation Committee and if they decide on Mr X on the scheme then Mr X will get his house.

HON P J ISOLA:

Does not the Minister think it very surprising, considering there is a question in regard to St Joseph's Estate, that he should not be able to tell the House the answer which is, is there anybody being allocated a house at St Joseph's who has been on the housing list less than five years?

HON J B PEREZ:

I have already said, Mr Speaker, that as far as I am concerned I do not see any need for changing the scheme from two to five years. On the second part of the question there may well be some people of medical category who may have qualified for St Joseph's, I do not know.

HON A J HAYNES:

Mr Speaker, on this medical point, as I understand it and we are not asking a question related to this, may I make this distinction now, those houses which are allocated for medical cases ie a small percentage, I am sure the Minister by now is aware of the percentage.

MR SPEAKER:

Let us ask questions.

HON A J HAYNES:

Mr Speaker, I am not asking for this in respect of the medical categories. The medical categories is a different matter altogether. As I understand it, Mr Speaker, and perhaps the Minister will confirm this, in any housing project a certain percentage of houses are put aside for those medical cases in category A or B which are then allocated by the appropriate Committee. Will the Minister confirm that that is the case?

HON J B PEREZ:

Yes, 20%.

HON A J HAYNES:

I am not asking the Minister to interfere with that 20% allocation, I am asking him to investigate those cases in which new houses are given to people who have been less than five years on the waiting list and do not tell me it is only 1%, I do not care if it is only 1%.

MR SPEAKER:

Order, let us leave it at that. Let us have an answer to that one.

HON J B PEREZ:

I would again reiterate, Mr Speaker, the question of allocation of houses, as far as I am concerned, is done by the Housing Allocation Committee. If Mr X has qualified for a house on pointage, and let us talk only about pointage I am not going to the medical category, if he has qualified on pointage for certain reasons it is up to the Committee whether they agree that he is high up on the list. If what you are asking me is to look at the whole question of the Housing Allocation Scheme on the question of pointage, there is a question later on in which I will answer what my intentions are but as far as this question is concerned my answer is no, I will not change it from two to five years.

HON P J ISOLA:

Will the Minister investigate and inform the House before we stop sitting, look at the Housing Allocation list, he has got plenty of civil servants who can do that for him, and inform the House whether with regard to St Joseph's which is the new fifty houses for which I am sure there is a lot of competition, inform the House whether there is any person who is going to get a house in that list who has been on the waiting list less than five years and the reasons for this? That is a simple question.

MR SPEAKER:

Are you prepared to do that?

HON J B PEREZ:

Yes, but I have no control whatsoever, let me make it clear, on the civil service quarters, that has got nothing to do with me.

MR SPEAKER:

We are talking about St Joseph's.

HON J B PEREZ:

Yes, I am prepared to look at the list and tell him, I have not looked at the list.

HON P J ISOLA:

Mr Speaker, he can exclude civil service quarters, that is another system.

HON A J HAYNES:

Mr Speaker, will the Minister confirm or deny that anybody who is given a new house before having been five years in the waiting list gets it as a result of medical category?

MR SPEAKER:

No, order. All the question asks is whether the Minister is prepared to change the allocation rules to deny the right to a person who has not been five years on the waiting list to get a new house and we are not going to expand the whole Housing Allocation Scheme for that reason. Next question.

HON J B PEREZ:

Mr Speaker, I undertook this morning to consider the recommendations which had been made by the Housing Allocation Committee in connection with the allocation of St Joseph's. I was asked in particular to look at the list and see whether any offers had been made to applicants who had been less than five years in the waiting list. The answer to that, Mr Speaker, is that yes, there are four offers to be made to people who have only been four years in the waiting list but all these relate to bedsitters. May I add that obviously this is quite apart from offers which we made to persons who are medically categorised. So the answer is four and it will be for bedsitters. Whether they take up the offer of accommodation or not that is another matter.

NO. 191 OF 1982

ORAL

THE HON A J HAYNES

Sir, is Government now in a position to publish a list of applicants who have been granted new or modernised accommodation on points as agreed in answer to Question 136 of 1982?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, a list is being prepared and will soon be published.

SUPPLEMENTARY TO QUESTION NO. 191 OF 1982

HON A J HAYNES:

When, Mr Speaker, this was afforded to me three or four months ago?

HON J B PEREZ:

Mr Speaker, in answer to question 136 my Hon predecessor merely stated that he would consider the matter, he did not say he would publish the list, if you read your Hansard properly. I have now considered the matter and the list will be published within a fortnight.

MR SPEAKER:

Next question.

HON A J HAYNES:

Mr Speaker, with your indulgence. Is it a point of order, can I have your ruling on this one?

MR SPEAKER:

If it is a point of order, yes.

HON A J HAYNES:

Earlier on this morning, in fact, when I was asking Question 191 I asked the Government: "Is Government now in a position to publish a list of applicants who have been granted new or modernised accommodation on points as agreed in answer to Question 136 of 1982?" Sir, you will remember the Minister has now changed and is now the Hon Minister for Health and Housing. He indicated that Government had only considered and had not agreed to

MR SPEAKER:

The answer you got was that a list was being prepared and would soon be published.

HON A J HAYNES:

I was also told, Mr Speaker, that it was a matter to be considered.

MR SPEAKER:

He gave that as an explanation for the delay in the publishing of the list, I remember very distinctly.

HON A J HAYNES:

But as I understood it at the end of it

MR SPEAKER:

What is your point of order?

HON A J HAYNES:

The point of order, Sir, is that the Minister's answer in Question 136 did not say he was considering the matter, it said he had agreed so it was not a matter for the Minister to consider unless he was going to reconsider and would he clarify that point?

MR SPEAKER:

It is not a point of order. What you are trying to do is to open the question to find out whether the Minister would accept the fact that he was wrong in his statement this morning.

HON A J HAYNES:

I was told to read Hansard properly and I thought I had and when I look again I find out I did read Hansard properly.

MR SPEAKER:

Fair enough. I think you are bringing to the attention of the House that what the Minister said this morning was incorrect. That is all.

NO. 192 OF 1982

ORAL

THE HON A J HAYNES

Will the Minister ensure that the allocation of all houses is made the prerogative of a Committee?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, the allocation of all Government houses by the Housing Allocation Committee is at present being considered.

SUPPLEMENTARY TO QUESTION NO. 192 OF 1982

HON A J HAYNES:

A change of policy, Mr Speaker.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Sir, will Government state whether they have any tenants presently living in accommodation which has been declared unfit for human habitation by the Environmental Health Department?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Yes, Sir.

SUPPLEMENTARY TO QUESTION NO. 193 OF 1982

HON A J HAYNES:

Can he be rather more expansive, Mr Speaker?

HON J B PEREZ:

There are at present sixteen tenants living in accommodation which has been declared unfit.

HON A J HAYNES:

Mr Speaker, does he know how long these tenants have been living there?

HON J B PEREZ:

No, I do not, Sir.

HON A J HAYNES:

Has it been for as long as he has been a Minister?

HON J B PEREZ:

I have only been Minister for two weeks, Mr Speaker.

MR SPEAKER:

Next question.

NO. 194 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government state how many of the fifty-one social cases waiting for pre-war accommodation in July of this year have been granted accommodation giving a list of the buildings where accommodation has been granted and will Government state the present number of accredited social cases presently waiting for accommodation?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Mr Speaker, twelve social cases have been accommodated in the following buildings:-

5/11 Willis's Passage

9 Devil's Gap Road

39/41 Town Range

8/12 Castle Steps

2/4 Parody's Passage

4/12 Lopez's Ramp

2 Richardson's Passage

Gavino's Dwellings

3/5 Demayas Ramp

4 Rosia Ramp

9/13 Rosia Ramp

2/8 Ansaldo's Passage

At present there are forty-eight approved social cases.

SUPPLEMENTARY TO QUESTION NO. 194 OF 1982

HON A J HAYNES:

Is the figure on the increase, Mr Speaker? Are we having more social cases being processed yearly?

HON J B PEREZ:

Obviously from the answer I have given him it seems it is slightly on the decrease but let me add that the question of social cases is dealt with by the Housing Advisory Committee and he will find that in my short experience as Housing Minister you have cases in which there are squabbles between in-laws which may last for a few months and then they may subside, so you have people going into the list and people being taken out, it changes.

HON A J HAYNES:

Mr Speaker, I was wondering whether as an overall figure the number of people coming with complaints of a social case is on the increase or not?

HON J B PEREZ:

All I can say, Sir, is that from the two weeks that I have been there and from the answers that I have given the Hon Member in the House I think it is true to say that there has been a slight decrease on the number of social cases.

HON A J HAYNES:

Not, Mr Speaker, if it is taken in the light of last year's fiasco when there was not anybody to make reports for social cases but this, as I understand it, led to a build-up and if that is the case, Mr Speaker, will the Minister confirm that now that the backlog is being dealt with there is an increasing number of social cases being brought forward?

HON J B PEREZ:

No, Sir, on the contrary, I think there is a slight decrease.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Sir, is Government satisfied with the criteria employed for the allocation of points of housing applicants?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, subject to the amendment of Clause 7 relating to Waiting Time, Government is reasonably satisfied with the criteria set out in the Housing Allocation Scheme for the awarding of points to housing applications.

SUPPLEMENTARY TO QUESTION NO. 195 OF 1982

HON A J HAYNES:

What does he propose to do about Clause 7, Mr Speaker?

HON J B PEREZ:

On the recommendation of the Housing-Allocation Committee it is proposed to increase the points awarded to applicants on the Waiting Time. This is done with an idea of overcoming the problems which were outlined by the Hon Member in his previous question when he was asking me to change the scheme from two to five. It has been proposed to have the following changes. On completion of the third year on the waiting list the present and the revised would be the same, namely, 15 points. On completion of the fourth year, the present and the revised would be the same, 30 and 30. On completion of the fifth year on waiting time the present points are 45, it is intended to increase those to 60. On completion of the sixth year on waiting time the present is 65 points and it is proposed that those 65 should become 120 points. On completion of the seventh year on waiting time the present pointage is 85 and I am now proposing to up that to 190. On completion of the eighth year on waiting time the present points awarded are 105 and I am proposing to increase these to 270. On completion of the ninth year on waiting time the present pointage is 125 and I am proposing to increase those to 360 points. On completion of the tenth year and for each year thereafter additional points are awarded, at present you only get 30 points, my intention is to increase that to 100. Let me say, Mr Speaker, that all these points have been on the recommendation of the Housing Allocation Committee.

HON A J HAYNES:

Mr Speaker, he seems to accept the principles outlined in the earlier question.

MR SPEAKER:

You should be highly satisfied then.

HON A J HAYNES:

I am but I do not know how it is going to affect the other criteria. If you introduce this increase in pointage is it not going to undermine the value

MR SPEAKER:

We are not going to debate, with due respect.

HON A J HAYNES:

Will the Minister confirm that the increase in pointage as regards the waiting time will undermine or devalue those points presently given for dampness and medical cases, etc?

HON J B PEREZ:

Yes and I agree that the emphasis should be on people who have been waiting for a very long time.

MR SPEAKER:

Next question.

NO. 196 OF 1982

ORAL

THE HON A J HAYNES

Sir, will the Minister consider increasing the number of the monthly lists of highest pointage housing applicants?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Yes, Sir.

SUPPLEMENTARY TO QUESTION NO. 196 OF 1982

HON A J HAYNES:

To what, Sir?

HON J B PEREZ:

I have not decided yet how many I am going to publish.

HON A J HAYNES:

Mr Speaker, in October of last year the person standing in for Mr Zammitt, Mr Featherstone the Hon Minister for Public Works, indicated that perhaps we can increase it to 25 or 30 but that was a year ago and they still have not come with a number let alone an increase.

HON J B PEREZ:

All I can say, Mr Speaker, is that when I started I think the number was 5. The question he is asking me is will I consider increasing it. I am telling the House yes, I will consider increasing it, I have not made up my mind as to whether I am going to have everybody on that list or whether I am going to have 10 or 25.

MR SPEAKER:

Next question.

NO. 197 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government release the figures of applicants on the Waiting List as at 4.10.82 giving the number in respect of the various categories ie 4 rooms, 3 rooms, etc?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, there are 1,826 applications on the Housing Waiting List as follows:-

179 for Bedsitters

415 for 2RKB

691 for 3RKB

475 for 4RKB

61 for 5RKB

7 for 6RKB

SUPPLEMENTARY TO QUESTION NO. 197 OF 1982

HON A J HAYNES:

Mr Speaker, this is an alarming figure, indeed. I have periodically, as the Minister will recall, asked questions of this nature. Will the Minister confirm that in fact the numbers are going up rather than down?

HON J B PEREZ:

Let me say one thing, Mr Speaker, from my short experience as Housing Minister. Although the numbers may be going up, I am of the opinion that what is occurring is a lot of double counting, for example, a house in Laguna Estate in which you have two families living, you will probably find that you have three applications from that house, you do not need three houses you possibly only need one but let me say that I am undertaking to look at two things in the Housing Department, the first one is as to how effective the Housing Allocation Scheme is in securing the fairest allocation of houses.

MR SPEAKER:

With due respect, we are beginning to make statements.

HON J B PEREZ:

The second thing I will be doing is that I will be looking and seeing how the percentage

MR SPEAKER:

You have been asked if the list is in the increase or is it in the decrease.

HON J B PEREZ:

I do not know, Sir. What I am doing now is that I intend to have a public survey and ask all householders to fill in certain forms in order to be in a position, Sir, to answer the question.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Will Government state what were the qualifications required to be held by the Deputy Chief Fire Officer before the current review and furthermore whether the current review has been completed and what is the extent of that review?

ANSWERTHE HON THE ATTORNEY-GENERAL

Sir, the qualifications required for the post of Deputy Chief Fire Officer has been since 1977 a Diploma of the Institution of Fire Engineers.

The current review has not yet been completed. This review is looking at the grading of the post. Once it is finalised the qualification requirement will have to be reconsidered depending on the level of the final grading.

SUPPLEMENTARY TO QUESTION NO. 198 OF 1982

HON G T RESTANO:

Mr Speaker, the Hon Member said a Diploma. Can he say what degree of Diploma, was it a graduate or a membership?

HON ATTORNEY-GENERAL:

Sir, it is one or the other but I am not sure which. The graduate and the membership Diploma are both qualifications for the Chief Fire Officer, they both must be for the Deputy Fire Officer but I will undertake to find out whether the lesser one, the managerial one, the membership one, is itself sufficient.

HON G T RESTANO:

Is the Hon Member aware that an inspection in 1977 recommended that the Deputy Chief Officer be of graduate membership?

HON ATTORNEY-GENERAL:

I am not aware of that, Sir.

HON G T RESTANO:

I can confirm that, Mr Speaker. Mr Speaker, is it the intention in the future for the Deputy to have a graduate membership?

HON ATTORNEY-GENERAL:

I cannot comment on that at this stage, Sir, the grading is in the process of being finalised.

HON G T RESTANO:

May I ask who, in fact, is carrying out the review?

HON ATTORNEY-GENERAL:

As I undicated to an earlier question, Sir, that it is by way of a staff inspection.

HON G T RESTANO:

Would the Hon Member inform the staff inspectors because I think it is important that the recommendations in 1977, or rather would he make the 1977 recommendations available to the staff inspectors?

HON ATTORNEY-GENERAL:

Sir, before I answer that may I just clarify a previous answer. The staff inspection has in fact been completed, it was completed in 1981, what is now happening is that the finalisation of the grading is being considered in the context of the senior grades review. To come to the question which was last asked by the Hon Member, I cannot myself but I am quite sure that the staff inspectors would have been aware of what happened in 1977 because it would have been part of their function to have regard to any previous action.

HON G T RESTANO:

Are these staff inspectors, Mr Speaker, inspectors of fire services or are they completely divorced from the fire service?

HON ATTORNEY-GENERAL:

I do not know, Sir, but I think that they are simply government staff inspectors at large.

HON A J CANEPA:

I think that staff inspectors is perhaps the wrong term to use, they were two very senior and very experienced experts in the field of salaries and wages revisions who were brought out from the United Kingdom to look generally into the question of the senior grades, that is, very senior officers above the level of Senior Executive Officer. They are not particularly expert in one field or another, they deal with the general broad spectrum of all senior grades.

HON G T RESTANO:

Which is precisely why, Mr Speaker, I hope that the recommendations of experts in that particular field will be taken into account because in 1977 the report did recommend that a certain grading be held by the Deputy Chief Fire Officer and I believe and I hope that the Government can see its way of taking account of those recommendations and ensuring that that post does require a graduate membership.

MR SPEAKER:

Next question.

NO. 199 OF 1982

ORAL

THE HON G T RESTANO

Mr Speaker, has agreement yet been reached between Government, Management and Staff for the operation, administration and management of the Waterport Power Station?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, the Steering Committee recently set up under an independent Chairman is the forum in which negotiations are currently in progress between the various parties concerned in the operation, administration and management of the Waterport Power Station.

SUPPLEMENTARY TO QUESTION NO. 199 OF 1982

HON G T RESTANO:

Does that mean, Mr Speaker, that no agreement has been reached yet?

HON DR R G VALARINO:

Mr Speaker, Sir, as the answer said, the Steering Committee is the forum for negotiations and these negotiations are continuing.

HON G T RESTANO:

So therefore no agreement has been reached, will the Minister confirm that?

HON DR R G VALARINO:

I can confirm that no agreement has been reached up to now, Sir.

HON G T RESTANO:

Would the Minister not agree that that is a terrible situation with the Waterport Power Station about to open and no agreement being reached? Can he give a reason why no agreement has yet been reached?

HON CHIEF MINISTER:

Mr Speaker, on a point of order. There is a substantive motion of censure on this matter, generally, in the Power Station and I think it would be most unfair to have to answer details of matters which are going to be broadly discussed in a motion of censure.

MR SPEAKER:

In fairness to the Opposition I think the Opposition is entitled to seek whatever information they require at the present time.

HON CHIEF MINISTER:

And they have got the information they want.

HON G T RESTANO:

Can we have an answer? I am asking why has agreement yet not been reached?

HON DR R G VALARINO:

Mr Speaker, because negotiations are taking place. I am not a member of the negotiating body but negotiations are taking place and they will proceed in due course. I can go no further on that question, I am very sorry.

HON G T RESTANO:

When did these negotiations start, Mr Speaker?

HON DR R G VALARINO:

Negotiations started as soon as we had a Chairman for the Steering Committee, Sir, they started soon after that.

HON G T RESTANO:

Can the Minister say when this was, that is what I asked?

HON DR R G VALARINO:

Mr Speaker, Sir, I have not got the actual date at hand but I will find out and I will give the Hon Member the answer later on in this House.

HON G T RESTANO:

Was the Chairman appointed quite recently or has he been there for a long time?

MR SPEAKER:

He has not got the information but he is going to let you have it, it is as simple as that.

HON W T SCOTT:

Mr Speaker, the Committee of Inquiry into the electricity situation found

MR SPEAKER:

We are not dealing with that.

HON W T SCOTT:

Mr Speaker, if I may, because it is of some importance, the Committee of Inquiry thought it important enough to come up with an interim report amongst which some of the recommendations they made, this was in April, was the establishment of a Steering Committee and I think that it has taken Government something like up to the 9th September, I think, if my memory serves me correctly, for that Steering Committee to meet which is in fact some few months since April and in fact it is even something like three months after the final report

MR SPEAKER:

What is your question?

HON W T SCOTT:

What I am asking the Government is, why so long?

HON CHIEF MINISTER:

I think, Sir, that that is one of the main things that arise out of the general debate which we will have on the motion of censure.

MR SPEAKER:

Yes, I tend to agree that that is the sort of thing which will be debated.

HON W T SCOTT:

Mr Speaker, but in a debate

MR SPEAKER:

You are asking why they have not done certain things and whether they should have done it. I think that will come in the debate itself. Next question.

THE HON G T RESTANO

Would the Minister for Municipal Services state when he expects the two engines at Waterport Power Station to be fully operational and would he explain the reasons for the slippage which has occurred?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, the first of the engines at Waterport Power Station has been fully operational and supplying power to the system for the last five weeks. The second engine became fully operational last week-end.

In a project of the magnitude and complexity involved in a power station such as Waterport, built to a tight programme and involving a number of engineering disciplines on a small site, some slippage was inevitable and to be expected. This is due to a wide variety of reasons, including design changes, site difficulties, material shortages, shipping delays and commissioning adjustments, making it impossible to single out any one principal reason.

The important consideration is that the station is now nearing completion and our main concern has been and must continue to be that it should prove to be an efficient, reliable and soundly built installation.

SUPPLEMENTARY TO QUESTION NO. 200 OF 1982

HON P J ISOLA:

Does that mean that the Station has not yet been taken over by the Government?

HON DR R G VALARINO:

Yes, Sir, reliability periods are continuing.

HON P J ISOLA:

When is it likely to be taken over fully by the Government?

HON DR R G VALARINO:

Mr Speaker, when the reliability periods are concluded.

MR SPEAKER:

Next question.

NO. 201 OF 1982

ORAL

THE HON G T RESTANO

Can the Minister for Municipal Services explain the reasons why it has not been possible to connect International Direct Dialling with Spain on 1st October, 1982?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, direct dialling to and from Spain has not been possible due to technical reasons involving the Spanish network and to the fact that restoration of the telephone service with Spain is still not on a permanent basis.

SUPPLEMENTARY TO QUESTION NO. 201 OF 1982

HON G T RESTANO:

Is the Minister satisfied that this is merely a technical problem or does he think that it is a political decision?

HON DR R G VALARINO:

Mr Speaker, Sir, this is what we have been led to believe. Spain needs to instal some technical equipment to accept traffic from Gibraltar, this is considered minimal and arrangements, once clearance is given by Spain to connect it up, should not present any great difficulties.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Since HM Forces Telephone network is not geared to a metering system will Government confirm that local calls from Forces numbers to ordinary subscribers will be free whilst chargeable if an ordinary subscriber calls a Forces number?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, the rentals for Forces lines were increased by 15% on 1st October, 1982, which is IDD date and local call metering date, in order to compensate for the loss of revenue from local call metering.

Once the Forces exchanges are in a position to meter their subscribers, calls from these exchanges will also be metered in the same way and at the same charges applicable to our subscribers.

SUPPLEMENTARY TO QUESTION NO. 202 OF 1982

HON G T RESTANO:

Has the Government not negotiated with the Forces so that they do have meters?

HON DR R G VALARINO:

Mr Speaker, Sir, this is a matter for them, I believe they are now in the process of having a contract and once their installation is equipped then they will be the same as us. Fortunately this time we have been somewhat earlier than they have.

HON G T RESTANO:

Is there any indication as to when they will complete the process?

HON DR R G VALARINO:

Yes, Mr Speaker, it will take approximately, I would have thought, about eighteen months but it could be earlier.

HON G T RESTANO:

Is the Government satisfied that 15% is sufficient to cover charges that would accrue if the numbers were metered? In other words, how has the figure of 15% been reached?

HON DR R G VALARINO:

The figure of 15% was reached because we have almost annually increased at budget time by 15% and being the 1st October and taking everything into account and all the details we had, we felt that 15% was the figure necessary in this case and the lines were thus increased by 15% as from the 1st October. This is not to say that if Government feels otherwise there could be another percentage increase whenever we deem it necessary but at the moment it is 15% as from the 1st October.

THE HON A J HAYNES

Sir, will Government state the average earnings from telephone rentals in the last quarter and will Government state its projected earnings from rentals and local calls in this next quarter?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, earnings from telephone rentals last quarter were estimated at £188,750. It is estimated that this quarter's rentals will be £191,000. The income expected from local charges is estimated at £39,000 for the quarter October to December, 1982. This figure has been arrived at on present available information and taking into account the possible effects of introducing local call metering charges.

The computerisation of telephone accounts makes it possible to monitor monthly traffic units. Subscribers will therefore be sent monthly advice notices giving the number of units used for each of the first nine months of IDD. This will also enable Government to consider rental reductions at an early date.

SUPPLEMENTARY TO QUESTION NO. 203 OF 1982

HON A J HAYNES:

Mr Speaker, will the Minister say whether IDD as regards local calls involves greater expense on the part of the Telephone Department, the same or less?

HON DR R G VALARINO:

Mr Speaker, this is obvious, we have had a very large capital expenditure for the IDD.

MR SPEAKER:

I think you are being asked the running costs of the Department.

HON A J HAYNES:

Mr Speaker, if I can repeat my question. Will the Minister state whether or not the introduction of IDD, as far as running expenses are concerned, result in an increase for local calls management or a decrease? Does it cost your department more to run IDD local calls or not, am I making myself clear?

HON DR R G VALARINO:

Let me, first of all, deal on the IDD. Obviously once we have introduced the IDD we have to keep the IDD network up to scratch. This will mean a certain increase because we need more equipment which may be necessary if a fault occurs.

MR SPEAKER:

I think we can narrow down the question. The way I understand it and perhaps the questioner can then correct me, is whether the introduction of IDD has increased the day-to-day running expenses of the department, forget capital expenditure, is that correct?

HON A J HAYNES:

That is correct.

HON DR R G VALARINO:

Mr Speaker, Sir, as far as the day-to-day running of the department IDD has certainly not increased it in any substantial amount.

HON A J HAYNES:

I am glad to hear that, Mr Speaker, that means therefore that we have got, if my mathematics are correct which they are not normally, about a £40,000 increase in the projected earnings for just one quarter and that £40,000 is about 25% increase in local calls, is that correct?

HON DR R G VALARINO:

Mr Speaker, Sir, if the Hon Member will divide £39,000 by £191,000 he will find that it is 20%.

HON A J HAYNES:

Mr Speaker, the Minister has stated that he is considering reducing the rentals. Will the Minister say when he proposes to make this announcement and whether he is going to reduce the rental by the amount of the increase in revenue or not?

HON DR R G VALARINO:

Mr Speaker, Sir, this is impossible to say. As I said previously, the computerisation of telephone accounts makes it possible to monitor monthly traffic units. We shall be able by the beginning of December to have the evaluation of two months which is October/November, November/December. Depending on this and depending on traffic evaluation figures then this can be considered by Government and if there is going to be a reduction it shall be brought before the House but at the moment it is impossible to (a) state definitely whether there will be a reduction, and (b) when the reduction will take place.

HON P J ISOLA:

Can I ask the Minister whether he has an idea of how much of the projected earnings from local calls comes from Government departments and has Government given any directive to Government departments so as to ensure that the earnings from Government department calls which are in effect paid by the taxpayer do not increase unduly?

HON DR R G VALARINO:

Mr Speaker, Sir, on the first one I cannot answer because I do not have the necessary information. On the second one, yes, all Government departments have been told and directed as to the use of local call metering and in fact they have been given specific instructions for the use of local call metering and therefore there should be a great deterrent in that sphere.

HON P J ISOLA:

Have they been given a directive that they cannot use the telephone for private calls?

HON DR R G VALARINO:

Yes.

HON A J HAYNES:

Mr Speaker, will the Minister confirm that this projected 20% increase in revenue is a conservative figure and that the likely result is going to be

MR SPEAKER:

No, he does not know, he has given an estimate.

HON A J HAYNES:

Perhaps he can say, Mr Speaker, whether it is a conservative estimate or not?

MR SPEAKER:

No.

HON W T SCOTT:

Mr Speaker, the Minister has talked of possible reductions after an assessment has been made after a number of months operation of IDD insofar as local metering is concerned, can I ask him when this takes effect or when it is being considered because he has always been talking about reductions on calls. Can I also ask him to seriously consider the increase of the number of units associated with the rental charge?

HON DR R G VALARINO:

Mr Speaker, Sir, the whole thing was actually looked at in the context of costs therefore certainly as far as the Hon Member Mr Scott is concerned I can offer him no concrete information as to the answer.

HON W T SCOTT:

I am only asking the Government to consider that.

HON DR R G VALARINO:

We shall consider it.

NO. 204 OF 1982

ORAL

THE HON A J HAYNES

Will Government ensure that the Automatic Dialling Clock is corrected as soon as practicable after a power cut?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, the speaking clock is affected by power cuts and is corrected as soon as possible after a power cut has been experienced. However, arrangements are being made so that the clock will not be affected by power cuts in the future.

SUPPLEMENTARY TO QUESTION NO. 204 OF 1982

HON A J HAYNES:

Mr Speaker, is he aware that though he has indicated that it is corrected as soon as possible in fact it has been out of time for as much as two days and people have been ringing up and spending 10p to be given the wrong time?

MR SPEAKER:

Next question.

NO. 205 OF 1982

ORAL

THE HON A J HAYNES

Will Government outline the options and their different costs proposed as alternative plans for rehabilitation of the prison in the event of insufficient ODA funds being made available for the major proposed scheme?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

(In the absence of the Hon the Minister for
Education and Labour and Social Security)

Sir, an Ad Hoc Committee chaired by the Hon Major F J Dellipiani, Minister with responsibility for the Prison, has been studying the various options for the rehabilitation of the present Prison building. Its recommendations have been submitted to Council of Ministers. Council has agreed that the scheme should be costed with a view to carrying out its implementation in stages.

SUPPLEMENTARY TO QUESTION NO. 205 OF 1982

HON A J HAYNES:

How much money is the Government prepared to put into the new rehabilitation of the Prison?

HON A J CANEPA:

That question I am not prepared to answer.

HON A J HAYNES:

Does the Minister know the answer?

HON A J CANEPA:

I am not prepared to answer it, I am not even prepared to consider answering that question.

HON A J HAYNES:

Why, Mr Speaker, is there any good reason for it?

HON A J CANEPA:

Because the Government cannot make a statement just like that as to how much money it is prepared to put into the new Prison. If the ODA were prepared to pick up the cost of the £5m we might look at it, if they are not prepared to contribute one penny it alters the situation completely.

HON A J HAYNES:

Mr Speaker, in a question session in December of last year the Minister when asked whether he would be prepared to give certain contributions from ODA other than the £4m projected, indicated that he would not but that they were considering a smaller figure, am I correct? We would like to know, Mr Speaker, since we are interested about the Prison, how much money he is prepared to put into a Prison.

MR SPEAKER:

The answer is that he is not prepared to give you that answer, it is as simple as that, you have been told already, it is no use insisting. Next question.

12.10.82

NO. 206 OF 1982

ORAL

THE HON W T SCOTT

Sir, will Government make representations to the Ministry of Defence with regard to Dockyard Apprentices who have recently completed their training so that they will be no worse off in continuing employment than other employees in the Dockyard?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

(In the absence of the Hon the Minister for
Education and Labour and Social Security)

Sir, in view of events since the question was tabled there is no need for Government to make representations on the matter.

NO. 207 OF 1982

ORAL

THE HON W T SCOTT

Sir, what measures is Government taking to stem the flow of increasing unemployment?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

(In the absence of the Hon the Minister for
Education and Labour and Social Security)

Sir, for some time now the main area of unemployment has been in the Construction Industry, which, like the Hotel Industry, has its peaks and troughs.

The current year has seen periods of inactivity as contracts come to an end and there have been insufficient major projects to offer continuity of employment in this industry.

Everything possible is being done to maintain employment for construction workers and matters could no doubt, improve with such projects as the Multi Storey Car Park at Casemates, Phase 2 of Rosia Dale Housing Project and the extension to the Bayside School.

Some projects which are likely to get off the ground before the end of the current year are:

- a. The Sewerage Pumping Station at Catalan Bay, and
- b. The Container Unstuffing Shed at the Port.

It is also expected that construction work on the Viaduct Causeway will commence next year. In addition the renewals to the salt and potable water mains may result in the employment of additional temporary labour.

SUPPLEMENTARY TO QUESTION NO. 207 OF 1982

HON A J HAYNES:

There is nothing on new housing, is that correct, Mr Speaker?

HON A J CANEPA:

I mentioned the Rosia Dale Housing Project.

HON A J HAYNES:

How long will that take?

HON A J CANEPA:

That has already started recently, I think it started last week.

HON A J HAYNES:

When is it due to finish?

HON A J CANEPA:

It is an eighteen month project.

HON A J HAYNES:

Is there anything else you have by way of housing, Mr Speaker, or is there going to be a moratorium on housing?

MR SPEAKER:

No, we are not going to discuss housing in this question, I can tell you that much.

HON A J CANEPA:

There are numerous housing projects included in the development aid submission.

MR SPEAKER:

Next question.

THE HON W T SCOTT

Sir, will Government state why Family Allowances have not been raised in the last two Budgets and does Government not consider this discriminatory to larger families?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

(In the absence of the Hon the Minister for
Education and Labour and Social Security)

Sir, in 1979, Government introduced an Income Tax/Family Allowance Package, which improved considerably the position of the middle and lower income groups. Further improvements, under the Income Tax Ordinance have continued to be introduced since then, as part of Government's policy to provide relief to those who most need it.

SUPPLEMENTARY TO QUESTION NO. 208 OF 1982

HON W T SCOTT:

I am aware of the extra tax allowances that benefits families or benefits the one child family where there have been increase in the last two budgets but families having two or more children, their cash return at the end of the year seems to be less than that for the one child family. What reason does Government have for not equating children whether the first, second, third or fourth born?

HON A J CANEPA:

I do not know what he means, Sir, by equating.

HON W T SCOTT:

I think that the tax allowance now for the first child is something like £300 and for the second and subsequent born it is £250. At one stage in the budget of 1979 there was an equivalent, £250 being £5 per week. There was an equivalence between the first born in the income tax allowance for that first born and the family allowance for the second and subsequent children. That seems to have gone by the board, as it were, in the last two budgets. I am asking Government what reason do they have for discriminating between the first, second and third children?

HON A J CANEPA:

I do not think that I follow the Hon Member, I do not think his argument stands the test. As far as income tax allowances were concerned, Sir, what happened before 1979, as I recall, was that in respect of the first child greater tax relief was given than in respect of second subsequent children. I think in respect of second and subsequent children the relief was £100 per child whereas I think in the case of the first child it was £250. The first child was not in receipt of family allowances whereas the second and subsequent children were in receipt of family allowances. I forget

exactly what the figure was in 1979, I think the level of the allowance was perhaps £3 per child and at the time when we did away with income tax relief for the second and subsequent children, I think we increased the allowance from £3 to £5 in order to compensate and in order to increase family allowances.

HON W T SCOTT:

What I am suggesting, Mr Speaker, is that although the income tax allowance for the first child has been increased in the last two budgets, the family allowance of £5 for the second and subsequent children have not been raised, that is what I am after. I am asking the reasons why not?

HON A J CANEPA:

Basically I would say a question of availability of funds. A further increase in family allowances would have meant increased expenditure which would probably have had to be met by increased taxation and the Government in its budgetary policy has not considered in the last two years that it should do that.

MR SPEAKER:

Next question.

NO. 209 OF 1982

ORAL

THE HON W T SCOTT

Sir, will Government inform this House as to the response to its recent advertising of the Industrial Training Scheme?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

(In the absence of the Hon the Minister for
Education and Labour and Social Security)

Sir, if the Hon Member is referring to training facilities which Government is again making available at the Construction Industry Training Centre to those apprentices who were successful in the 1982 Apprentices Exams, but who are not able to obtain an apprenticeship, the closing date for applications is October 15th.

SUPPLEMENTARY TO QUESTION NO. 209 OF 1982

HON W T SCOTT:

Will Government say whether in fact what the Hon Minister for Education and Labour and Social Security answered in one of my supplementaries on Question 43 which dealt with the same subject that it was envisaged that the advertising because of the poor response last year, that the advertising would be increased and in fact, has it?

HON A J CANEPA:

I do not think it is really a question of advertising, I think it is a question of the Principal Youth and Careers Officer in particular working very closely on the one hand with the Construction Industry Training Officer and, secondly, with the people concerned with whom he has a great deal of contact because young people register as unemployed with him and not with the Labour Department. I think it is a question of the work which is done by the Youth and Careers Office rather than notices put in the press which very often people from practical experience one knows very often they do not even see, that is what I think is required to persuade young people.

HON W T SCOTT:

In advertising, in fact, I was not necessarily restricting myself to the press I was thinking of television, that was when I first mentioned Question 43.

HON A J CANEPA:

The scheme involves a definite number of young people, it is only applicable to apprentices who were successful in their exams and who have not been offered an apprenticeship, they can be identified. The Youth and Careers Officer knows who they are and they can be readily contacted and encouraged to participate in the scheme. In my view it does not need notices in the press, television or what have you.

NO. 210 OF 1982

ORAL

THE HON W T SCOTT

Sir, with regard to the answer given to Question No. 45 of 1982 will Government state the areas in which it considers there is a need to train young people to make Gibraltar less dependent on foreign labour and will Government further state if these areas have recently been extended by the Industrial Training Board?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

(In the absence of the Hon the Minister for
Education and Labour and Social Security)

Sir, Government is awaiting the recommendations of the Industrial Training Board on this matter. The Board has still to process the results of a Questionnaire circularised to schools.

NO. 211 OF 1982

ORAL

THE HON W T SCOTT

Sir, does Government not consider it advisable to commence a Youth Opportunities Programme?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

(In the absence of the Hon the Minister for
Education and Labour and Social Security)

Sir, as indicated in this House in March 1982 (Question No 44 of 1982 refers) whilst there are no detailed plans for such a programme, Government is continuously looking at areas likely to offer employment opportunities for young people.

SUPPLEMENTARY TO QUESTION NO. 211 OF 1982

HON W T SCOTT:

Since, Mr Speaker, we seem to come up again to the unemployment situation particularly with juveniles and we have a trend I think year by year at this time it seems to increase particularly after the summer holidays and they register as unemployed and then after a month they have found some work, but the unemployment figure as far as juveniles is concerned within a period, say October/November, annually, we do have a rise and every time I ask this question we seem to get the same answer. Doesn't Government consider that it is time for it to seriously think on the implementation of such a programme before it is too late?

HON A J CANEPA:

Sir, on the first point made by the Hon Member, the figures available on the 31st August, 1982, as against the 31st August, 1981, do not seem to bear out his contention. The comparative figures are that last year, August 1981, there were 104 young persons unemployed and this year there are 86. I do not know whether that is indicative of any trend or not but I think it is better to find that there are 86 rather than 126. As regards the general question about the implementation of a Youth Opportunities Programme which I understand has been implemented in the United Kingdom under the aegis of the Manpower Services Commission, I regret that I myself am not in a position to answer that question, I think this is a matter really for my colleague who is absent to go into, I am not in a position to answer that or commit him in any way. For one thing I do not know enough about the Youth Opportunities Programme, I gave up responsibility for Labour 21 months ago and I had to ask for some information which I got from the Employment News of July, 1982, because I was a little bit at sea about the matter, I must confess.

MR SPEAKER:

Next question.

12.10.82

NO. 212 OF 1982

ORAL

THE HON J BOSSANO

Will Government consider making an ex-gratia payment to the widow of the late Mr Manuel Borge, a former employee of the Gibraltar Government, equivalent to the gratuity that would have been payable?

ANSWER

THE HON THE CHIEF MINISTER

Sir, the representations made on behalf of the person concerned were well found worthy of merit and have been acceded to on an ex-gratia basis.

NO. 213 OF 1982

ORAL

THE HON J BOSSANO

Was the Gibraltar Government consulted by the MOD on its decision to sack those apprentices who completed their training in the Dockyard this year?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

(In the absence of the Hon the Minister for
Education and Labour and Social Security)

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 213 OF 1982

HON J BOSSANO:

Does the Gibraltar Government consider that it should be consulted in a decision of this nature?

HON A J CANEPA:

We would very much have preferred to have been told, yes.

HON J BOSSANO:

Has the Gibraltar Government therefore told the Ministry of Defence that they would like in future to be consulted?

HON A J CANEPA:

The Chief Minister has discussed the matter with the General Manager of the Dockyard.

HON J BOSSANO:

On the basis that in future there should be consultation?

HON CHIEF MINISTER:

On the desirability of giving information.

MR SPEAKER:

Next question.

THE HON J BOSSANO

Can Government state whether there is an implied assurance of employment at the end of the period of training in the case of individuals engaged as indentured apprentices by the Official Employers?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

(In the absence of the Hon the Minister for
Education and Labour and Social Security)

Sir, in essence the deeds of indenture signed by Gibraltar Government apprentices provide for:

- a. the employer to give training to the apprentices;
- b. the apprentice to diligently learn the skills of the trade; and
- c. the parents or guardians of the apprentice to undertake certain obligations.

There is no commitment written or implied to the effect that on termination of the indentures the employer has to provide employment or that the newly qualified craftsman is required to remain in the employment of the employer who trained him.

Nevertheless, Government has always considered that it had a moral obligation to offer employment to its apprentices, a practice which other official employers have also followed, and which one would hope that they will continue to do.

SUPPLEMENTARY TO QUESTION NO. 214 OF 1982

HON J BOSSANO:

Mr Speaker, would the Hon Member not agree that the impression that has existed in Gibraltar is that there is an implied assurance of employment which goes beyond the moral obligation and that this impression is reinforced by the fact that the Government itself seems to make a distinction between the training facilities it is offering those who fail to get an apprenticeship where they stress the fact that there is no job at the end of the training, where if there is no job at the end of the apprenticeship either there would be no need to stress it. Would they not agree that by emphasising that those who do not get an apprenticeship are being offered training under this new scheme at the Construction Training Centre and they put in the advertisement that that does not mean that there will be an offer of a job, that it is reasonable to assume that if one gets the apprenticeship there will be an offer of a job?

HON A J CANEPA:

I would agree that that impression has been fairly current having regard to the practice now for decades that invariably a successful indentured apprentice has been offered a job.

HON J BOSSANO:

Would the Minister also not agree that since the UK Departments and the Gibraltar Government in the Official Employers Apprentices Training Board in arriving at the level of apprenticeships they have offered have always maintained that they do so in order to satisfy their projected needs, there is a clear implication that there is a need to employ a qualified person otherwise if it was purely training for training sake the ceiling which the Trade Union Movement has accepted in the past would not have been justified?

HON A J CANEPA:

I have no doubt that that is the case and I am able to base that on my very close involvement over 8½ years as Minister for Labour with the Official Employers Apprentices Board and also between 1972 and 1976 as Minister with responsibility for the Productivity and Training Unit.

MR SPEAKER:

Next question.

12.10.82

NO. 215 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, how many seats were there available for the Miss Gibraltar show this year and how many of these were complimentary?

ANSWER

THE HON THE MINISTER FOR TOURISM AND SPORT

Sir, there were 701 seats available this year for the Miss Gibraltar show. Of these 119 seats were complimentary.

SUPPLEMENTARY TO QUESTION NO. 215 OF 1982

HON A T LODDO:

Mr Speaker, would not the Government agree that considering how costly it is to stage the Miss Gibraltar show, it would be preferable to cut down the number of complimentary seats to the barest minimum as is the case with the Song Festival?

HON H J ZAMMITT:

The number is cut down to the barest minimum, Mr Speaker, and I will explain why. Complimentary seats were made up of people who give voluntary service like 18 usherettes, the contestants are each given two complimentary seats which comes to 26, 75 VIPs including Ministers, the Hon Leader of the Opposition, the press, etc, comes to a total of 75. I have not got a breakdown with total accuracy but people who have given free service, directors wives, producers wives, musicians and the lot. I assure the Hon Member that I have in fact received complaints about people who I think ought to be invited and who we do not invite, VIPs for that matter, whom we do not invite purely to keep the number down to its bare minimum.

HON A T LODDO:

Mr Speaker, I am surprised that the Minister has received complaints considering there were 119 complimentary seats. I would urge the Minister to further prune the list of complimentary tickets that are going out, one-seventh of the total seats available to me seems an extraordinarily high number of seats to be given away free.

HON P J ISOLA:

Would the Minister not consider, having regard to the very high cost of the Miss Gibraltar show, inviting people but asking them to pay for their seats? As far as the contestants, for example, are concerned they already receive, do they not, some substantial sums for entering the competition and is it so unreasonable to ask people to pay for seats in view of the fact that there are 600 who do so willingly?

HON H J ZAMMITT:

Mr Speaker, I am quite surprised at the Hon Leader of the Opposition's view on this. The people that are invited are invariably people who have offered freely their services to the performance otherwise we would have to pay for very simple things. People who help during the rehearsals, people who work until midnight driving people up and down and charging the Tourist Office absolutely nothing, electricians who may not charge us, some of them do not, Mr Speaker, some people particularly those who do the loudspeakers offer their services free of charge. There are an enormous amount of people who help the Tourist Office and I think that I cannot prune the list further.

MR SPEAKER:

Next question.

NO. 216 OF 1982

ORAL

THE HON A T LODDO

Sir, how many people were invited to the reception after the Miss Gibraltar show and what was the cost of the reception?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Sir, a total of 184 persons, in the main those participating in and involved in the production of the show, were invited to the reception after the Miss Gibraltar show. Approximately 150 turned up. The total cost of the reception was £200.

SUPPLEMENTARY TO QUESTION NO. 216 OF 1982

HON A T LODDO:

Mr Speaker, I cannot quibble with the £200 reception but I can quibble again with the 184 invited to the reception. Already we are given to understand that the 119 who were invited is a reasonable number. Mr Speaker, can the Minister say how the 119 converted to 184?

HON H J ZAMMITT:

Yes, Mr Speaker, I can. Contestants, the dance group, that is the people like the Eastern Promise, 42 people, orchestra, the artists and musicians, production staff including producer, coach, etc, 48, the GTO staff 40, the VIPs and may I say that it is the first time ever that we have given a reception after the show brought about by the specific request of the producer who thought that all these helpers ought to be entertained to a drink at the end of the show and for the first time ever the Chief Minister and myself attended this party.

THE HON MAJOR R J PELIZA

Can Government state what is the outlook for tourism this winter season in connection with tourists from the UK, other European countries and Morocco?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Sir, the pattern of Inclusive Tour winter holidays for Gibraltar appears to be the same as last year. Little increase is forecast in disposal incomes for 1982/83. As regards Europe and Morocco there is no evidence to suggest that there will be a significant change in the strength of the £ sterling over the next twelve months.

SUPPLEMENTARY TO QUESTION NO. 217 OF 1982

HON MAJOR R J PELIZA:

Since the Minister has the experience of what happened last year, wasn't he able to gather some information as to the reasons why we were not so successful last year and has done something effective to try and improve the situation this year?

HON H J ZAMMITT:

Mr Speaker, I am afraid I did not meet Margaret Thatcher when I was over there to make the pound a little more favourable. I think it is no good kidding ourselves and asking questions of which we all know the reasons why, Mr Speaker. We are not competitive within this area and the pound sterling and the recession in Britain and late booking pattern and people investing their money till the very last moment it all works at this stage against us. I think subsequent questions may reveal something more illuminating to the Hon Member but there are a number of facets which we just cannot skip over and they are very, very important.

HON MAJOR R J PELIZA:

So what the Minister is saying is that there is nothing really that he can think of doing to improve the situation?

HON H J ZAMMITT:

Of course I am not saying that, Mr Speaker. We demonstrated that earlier this year by increasing our advertising campaign, by increasing our trade promotions, by reminding people of Gibraltar permanently and trying to get as many people as possible to come and visit us.

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

Can Government state if they are carrying out any special campaign to attract more visitors from Morocco?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Sir, the Tourist Office has continued with its Sales Visits to Tangier and stepped up its advertising in Tangier in an effort to attract more visitors. A series of regular advertisements have been placed in the Journal de Tanger to encourage visits to Gibraltar. These were inserted at peak periods when more holiday-makers both Moroccan and European were in Tangier. We aim to carry out another similar campaign at Christmas. A visit to the South of the country is also planned.

SUPPLEMENTARY TO QUESTION NO. 218 OF 1982

HON P J ISOLA:

Why is it that there has been no visit at all to Rabat and Casablanca and the Tourist Office is merely concentrating on Tangier?

HON H J ZAMMITT:

Mr Speaker, we have been to Rabat, not that I have been to Rabat but the Tourist Office has been to Rabat and Casablanca. As I explained in the July meeting and as the Hon Member may know, a foreign country is not allowed to carry out a sales promotion in Morocco as such and we had to do it under another veil in accordance with Moroccan laws but I would not like to go into that any further, Mr Speaker.

HON MAJOR R J PELIZA:

Could the Minister say if the time of arrival of the Mons Calpe and other links with Morocco have anything to do, are their times of arrival and departure reasonable and could something be done in that respect to make coming over to Gibraltar for a day more attractive proposition?

HON H J ZAMMITT:

Mr Speaker, although it has nothing to do with this question in particular or directly I can inform the Hon Member that only this morning before I came to this House I was looking at a document which showed an increase in arrivals through Mons Calpe, Hydrofoil and Gib Air from Morocco so I do not think there is any particular difficulty on the time of arrival or departure.

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

Can Government state how tourism fared this summer generally and provide figures of visitors and hotel occupancy if available?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Sir, there has been a slight improvement in tourism generally this summer. Figures for tourist arrival and sleeper occupancy in hotels for the months May, June, and July (latest available figures) as compared with the same months last year are as follows:-

	<u>Tourist Arrivals</u>	<u>Tourist Sleeper Occupancy</u>
May	+ 10.6%	from 30.4% to 35.2%
June	+ 1.3%	from 32.7% to 42.2%
July	+ 9.5%	from 28.5% to 40.5%

SUPPLEMENTARY TO QUESTION NO. 219 OF 1982

HON MAJOR R J PELIZA:

Would the Minister agree with me that notwithstanding he blames Mrs Thatcher

MR SPEAKER:

No, order. Ask a question if you wish to but do not make a comment.

HON MAJOR R J PELIZA:

Isn't it indicative that notwithstanding the difficulties there might be with currency and all the other things, it is possible to increase tourism in Gibraltar?

MR SPEAKER:

No, order. Next question.

THE HON MAJOR R J PELIZA

Can Government state how many yachts called at Gibraltar this summer and how it compares with 1981?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, during the period May to September this year a total of 3834 yachts called, as compared to 3526 during the same period in 1981, an increase of 308.

The monthly totals are as follows:-

	<u>1981</u>	<u>1982</u>
May	516	532
June	680	610
July	687	838
August	955	1139
September	688	715
	<u>3526</u>	<u>3834</u>

SUPPLEMENTARY TO QUESTION NO. 220 OF 1982

HON MAJOR R J PELIZA:

Does the Minister agree that this is very encouraging and that perhaps we should reinforce success with more effort by perhaps advertising or whatever may be required?

HON A J CANEPA:

I agree that it is encouraging, Mr Speaker.

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

Can Government state how many cruise liners called at Gibraltar, how it compares with the previous year and how much is being done to attract more of these liners?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Sir, up to the end of September this year 85 cruise liners called at Gibraltar. This compares with 55 which called here during the same period last year.

Contact is maintained with operators and obviously any advertising for Gibraltar stimulates all modes of traffic including cruising. We also give hospitality service to selected journalists who have visited Gibraltar on cruise liners. This type of specialised editorial is in our view the most cost effective.

THE HON MAJOR R J PELIZA

Can Government state how many meetings the Tourist Advisory Board have held and if any major recommendations have emanated that are being implemented by the Government?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Sir, the Tourist Advisory Board has held ten meetings to date since its inception on 9 February, 1982. There have been no major recommendations as such, since it has mainly concentrated in follow-up action on the recommendations made in the Tourist Seminar held on 17/18 March, 1981. All recommendations made by the Board, however, have been followed up by the Gibraltar Tourist Office.

SUPPLEMENTARY TO QUESTION NO. 222 OF 1982

HON MAJOR R J PELIZA:

What does he mean by followed up, are they being carried out?

HON H J ZAMMITT:

Yes, Mr Speaker, at the regular meetings we review the situation and see in fact what has been done, are we satisfied with what has been done and if not we certainly write to the departments concerned and try and get them to pep up.

HON MAJOR R J PELIZA:

Would the Minister mention some of those recommendations?

HON H J ZAMMITT:

Yes, Mr Speaker, there is the cleaning of the Piazza, reduction of import duty on small motor cycles and mopeds, beautification of Europa Point, removal of refuse to be re-cycled, collection of trade refuse to be incorporated in the refuse collection duties, cash grants to employers, training locally unemployed and I could go on, it is quite a list, Mr Speaker.

HON MAJOR R J PELIZA:

Nothing really major it appears?

HON H J ZAMMITT:

I have said that in my answer to the question.

MR SPEAKER:

Next question.

NO. 223 OF 1982

ORAL

THE HON MAJOR R J PELIZA

Can Government state that if necessary air capacity UK-Gibraltar route is not met by the existing operators, the Government itself will take direct action to meet the requirements?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Mr Speaker, the Government is conscious of the need for an adequate air seat capacity on the United Kingdom-Gibraltar route. Whether the Government should become involved in direct action depends largely on the ability or otherwise of airlines to provide a sufficiently adequate service.

SUPPLEMENTARY TO QUESTION NO. 223 OF 1982

HON MAJOR R J PELIZA:

Would he agree that at present the complaint that one hears from people concerned in the tourist trade is that there is not sufficient capacity to bring the tourists to Gibraltar?

HON H J ZAMMITT:

I agree entirely, Sir.

HON MAJOR R J PELIZA:

If this has been going on for some time when does the Government intend to take some action to correct this very fundamental issue?

HON H J ZAMMITT:

I think that his leader may have other views, Mr Speaker.

HON MAJOR R J PELIZA:

I am not concerned with what my leader's views may be, I am talking now about direct action. My leader may have other views on other matters concerning how one particular operator might operate but I am talking about the general issue. Cannot the Government do something as they are responsible and they should not blame the Leader of the Opposition for this unless they want us to take over Government. Can the Minister state what the Government intends doing to correct this very serious situation?

HON H J ZAMMITT:

The Government has always encouraged more air communications to Gibraltar on both situations, both charter and schedule and at the moment, as the Hon Member may know, there is an application for further schedule services to Gibraltar.

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

Can Government state how long it takes on average for air mail letters and air parcels to reach their destination to and from the UK, if it is satisfied with the service and if not what effective action is being taken to put it right?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Sir, letters and parcels sent by air mail take an average of three and four days respectively to reach their destination. Government is satisfied with the service.

SUPPLEMENTARY TO QUESTION NO. 224 OF 1982

HON MAJOR R J PELIZA:

Isn't it a fact that in most cases it takes much more than that?

MR SPEAKER:

The Government has given you the estimated time.

HON MAJOR R J PELIZA:

Mr Speaker, he said it took an average of three and four days, I think in practice it is much more than that.

MR SPEAKER:

The Minister said that letters and parcels sent by air mail take an average of three and four days.

HON MAJOR R J PELIZA:

What I am saying is that it takes more, that is what I am trying to say. Is he satisfied that in many cases it takes much more than that?

HON H J ZAMMITT:

Yes, Mr Speaker, letters can and do take as little as 24 hours from time of posting to delivery. They can also on occasions take seven or eight days. All mail posted in Gibraltar is despatched within 24 hours at the latest except for mail posted after 10 am on Fridays which does not leave until Sunday. Similarly, all mail received in Gibraltar is delivered within 24 hours except that received on Saturday which is delivered on Monday. Letters addressed to PO Boxes are placed therein on the day of the receipt. The Gibraltar Post Office cannot interfere in the internal affairs of other administrations. Areas covered by these internal affairs include the regularity with which post boxes in those countries are cleared and the time taken to get letters from the Post box to the mail bag being flown to Gibraltar. The Gibraltar Post Office can and does query the short shipment and non-arrival of mail.

HON MAJOR R J PELIZA:

If the Minister is so certain that the fault does not lie with Gibraltar couldn't he take it up with the Postal Services in the United Kingdom because normally in England when you drop a letter any time before, say, 5 o'clock in the evening, it is received on the following morning, the first mail the following morning.

HON H J ZAMMITT:

Mr Speaker, I can assure the Hon Member that because of the friendly contact that exists between the Director of Postal Services it is quite easy for him possibly through giving people a free ticket for the Miss Gibraltar Show, that we can ring directly and get things put on the bag and he all too well knows the situation we have recently encountered in England between Gatwick and Heathrow on some industrial action being taken there by the Post Office. We have extremely good relations with the GPO in London.

THE HON A T LODDO

Mr Speaker, is Government now in a position to make a statement on the legalisation of Citizen's Band in Gibraltar?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Sir, I regret that the Government is not yet in a position to make a further statement on the legislation of Citizen's Band in Gibraltar. The investigations being carried out in the United Kingdom have not yet been completed. In order to help speed up the investigation the Wireless Officer has taken advantage of his visit earlier this month to the United Kingdom to pursue the matter with officials there.

SUPPLEMENTARY TO QUESTION NO. 225 OF 1982

HON A T LODDO:

Mr Speaker, has the Minister any idea when he will be in a position to make a statement to this House?

HON H J ZAMMITT:

Mr Speaker, all I can say is that there are quite a number of problems that we did not foresee vis-a-vis the different channels and rates and concern with our country next door but what I can say is that consequent upon the visit it will be possible to speed up the situation.

HON A T LODDO:

Mr Speaker, does not the country next door work its Citizen's Band as the rest of the European countries, that is, on medium wave and what I was specifically asking, Mr Speaker, was for the VHF wave, this is a follow-up from the last House of Assembly?

HON H J ZAMMITT:

I am afraid I cannot be that technical, Mr Speaker. Whether it is VHF or medium wave or short wave I am afraid that that is left entirely to the technicians. What I can say is that on the frequency there are some complications that we did not foresee and that is what is holding back the situation at the moment.

MR SPEAKER:

Next question.

NO. 226 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government consider altering the law as regards mopeds to bring it in line with the law as it applies in the United Kingdom?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

No, Sir. In UK a person aged 16 may ride a moped. Because of our traffic problems it would not be advisable to lower the age limit from 17 to 16 years. At the present the number of motorcycles in Gibraltar has increased tremendously (1053).

Under the present legislation in Gibraltar a "moped" needs to be registered and insured and drivers must wear crash helmets, as in UK.

SUPPLEMENTARY TO QUESTION NO. 226 OF 1982

HON A T LODDO:

Mr Speaker, I am aware of the law in Gibraltar but is the Minister aware that the law in Gibraltar by not differentiating between mopeds and motorcycles has a loophole whereby any person can take a test on a moped which is considered a motorcycle in Gibraltar law and subsequently can drive around on a 1000cc engine?

HON M K FEATHERSTONE:

Yes, Sir, and we are going to block that loophole in the near future.

12.10.82

NO. 227 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, when will the "Pelican" traffic lights in Queensway for the new Girls' Comprehensive be installed?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Sir, quotations for Pelican Crossings at Queensway and Winston Churchill Avenue together with prices for traffic lights at various sites have been received. My reply to Question 151/82 refers.

No funds have been voted for these works and it is hoped to make provision in the 1983/84 Estimates.

THE HON A T LODDO

Mr Speaker, would Government make it compulsory for trailers to be parked at the "Place in Devil's Tower Road" referred to by the Minister for Public Works in reply to my question 145 of 1982?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the place referred to in answer to Question 145 of 1982 is no longer available to be converted into a trailer car park as it is required for other Government purposes.

SUPPLEMENTARY TO QUESTION NO. 228 OF 1982

HON A T LODDO:

Mr Speaker, will then Government make another place available as a trailer park?

HON M K FEATHERSTONE:

Sir, the difficulty of finding a suitable place must, I am sure, be understood very clearly by my Hon Questioner. I would comment that a good number of trailers are being parked at the container berth at North Mole.

HON A T LODDO:

Mr Speaker, does this mean that the Government has given up the idea of finding a suitable area for the parking of containers?

HON M K FEATHERSTONE:

No, Sir, if we can find a place then we shall try and use it but the difficulty, as the Hon Questioner must know, is that space is very limited in Gibraltar and I cannot easily foresee a big enough area to take all the trailers that are lying around. However, if more trailers are parked at the container berth this will remove much of the congestion.

HON MAJOR R J PELIZA:

Mr Speaker, if it is not possible to find room for the trailers would it not be a good idea to reduce the number of trailers, couldn't that be looked into?

HON M K FEATHERSTONE:

That could be looked into, Sir, but it would perhaps be putting restrictions on the transporters, however I am willing to consider it.

HON MAJOR R J PELIZA:

Mr Speaker, the other thing is to make the transporters responsible for its parking place and then perhaps the Government can restrict it.

HON A T LODDO:

Mr Speaker, could I ask the Minister what is the place in Devil's Tower Road which he referred to in Question No. 145, what is that going to be used for?

HON M K FEATHERSTONE:

I was expecting that, Sir. As my Hon Questioner may be aware we have cleared the area where the Romney Huts were at Queensway but there were a number of garages in the same vicinity and it was part of the agreement with the MOD that we would remove these garages. They are now going to be used in this place at Devil's Tower Road.

NO. 229 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, can Government say why two uncovered $1\frac{1}{2}$ cu yd rubbish containers are allowed to stand permanently in Fish Market Road?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, these refuse containers are provided by the Market Authorities for the use of a wholesale establishment at Fish Market Road. They were kept in the small enclosed area beside this establishment, but it has proved very difficult to manoeuvre them down from the pavement there.

A small ramp was put in by the owners of the establishment, but this was not considered satisfactory as it was on the Public Highway and obstructing the street gutter, consequently it had to be removed.

It is now proposed to build a proper ramp inset into the pavement to enable the containers to be removed. When this ramp is built the containers will be located off the road.

SUPPLEMENTARY TO QUESTION NO. 229 OF 1982

HON A T LODDO:

Mr Speaker, whilst the Government build the ramps could not these containers be (1) covered, and (2) the area around them flushed down regularly because I can assure the Minister that the place is filthy?

HON M-K FEATHERSTONE:

I am willing to look at both these possibilities, Sir.

NO. 230 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, how often are the streets, steps, etc in Gibraltar hosed down?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, most streets, steps, etc are hosed down once a week unless there are problems such as obstruction by vehicles to the street water valves.

However, the flushing programme cannot be carried out whenever there is a shortage of labour, especially during Moroccan Feasts as priority during this period is given to refuse collection and sweeping.

SUPPLEMENTARY TO QUESTION NO. 230 OF 1982

HON A T LODDO:

Mr Speaker, is the Minister aware that Main Street has only been flushed down twice in the last two months, and that is Main Street which is in public view all the time, and is the Minister satisfied in fact, that if this is the case with Main Street it is not even worse in the other areas of town, in fact, streets and steps and alleys are not hosed down at all?

HON M K FEATHERSTONE:

Sir, I would take issue with the Hon Questioner that Main Street has only been flushed twice in the last two months, maybe some sections of Main Street have missed out but on average Main Street does get flushed once a week, from my knowledge, at least in the area around where I live. Perhaps in the area around where he lives he has been unlucky but I will do my best to see Main Street is also flushed in his area as well.

HON A T LODDO:

Mr Speaker, I am not so concerned with Main Street although it is a matter of concern but I am concerned about the whole of Gibraltar. There was a time when all streets were hosed down and will the Government ensure that this practice is again revived regardless of whether or not there are Moroccan holidays going on?

HON M K FEATHERSTONE:

Perhaps the Hon Member will bear with me at estimate time when I come for more money for this.

HON G T RESTANO:

Mr Speaker, can I just get confirmation from the Minister, he has said, I think, in his answer that all streets are flushed once a week. Can we have confirmation of that, is he really seriously asking this House to believe that all the streets of Gibraltar, I am not talking about Main Street, all the streets of Gibraltar are hosed down once a week? Is he seriously asking us to accept that statement?

HON M K FEATHERSTONE:

Sir, I am not sure if there is any aural pollution in this Chamber, I never said all streets were hosed down, I said most streets.

HON G T RESTANO:

I would like, Mr Speaker, a bit of clarification on this question of most, what exactly does he mean by most streets?

HON M K FEATHERSTONE:

I am not going to say that the nethermost regions of Chicardo's Passage or Richardson's Passage may be included but the majority of streets do get a wash down once a week subject to the limitations I have said of flushing valves not being accessible because a car has parked against them etc. I will try and increase the amount of flushing but I would possibly have to increase my labour force to be able to do so and this is something I cannot do at the moment, it will have to wait till estimate time.

HON W T SCOTT:

Mr Speaker, would the Government not agree that it would be advisable to have these streets washed down as regularly as possible if only to help the Keep Gibraltar Tidy campaign into which a substantial amount of money has already been injected?

HON M K FEATHERSTONE:

Sir, I am not quite sure how the washing down of the streets will help too much with the Keep Gibraltar Tidy campaign of which there is a question later and I shall be saying other points. It will only possibly remove the rubbish that is in the gutters from one place to another. Unless the rubbish is actually picked up afterwards it is not going to do all that good.

12.10.82

NO. 231 OF 1982

ORAL

THE HON A T LODDO

Why have two containers been allowed to park in Varyl Begg Estate?

The Hon A T Loddo withdrew this question.

NO. 232 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, seeing that already two cars have taken up permanent parking at the parking site opposite The Torpedo Camber, does Government have any plans to prevent this becoming generalised?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the Police regularly check for possible abandoned cars. Any such cars will be moved, and at present there are two under investigation. These will either need to be removed by the owners or be disposed of by Government subsequent to being Gazetted.

SUPPLEMENTARY TO QUESTION NO. 232 OF 1982

HON A T LODDO:

Mr Speaker, does the Government intend to take any further action on the question of cars being parked on a permanent basis?

HON M K FEATHERSTONE:

Sir, following the example of my Hon Friend on the left I have only been two weeks in office as regards traffic. I do have some ideas, I would not like to say bright ideas, but one of them is to have a purge on parked cars which are obviously if not derelict at least cars which are parked on an almost permanent basis and I hope results from that will come out in the next month or two.

HON A T LODDO:

Mr Speaker, would the Minister care to take up the suggestion of parking time limits?

HON M K FEATHERSTONE:

That is also one of the ideas that I do have in mind.

NO. 233 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will the Minister for Public Works confirm that the surfacing work on Tank Ramp has finally been completed?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Regretfully not yet, Sir. As stated in reply to previous questions on this matter, a considerable backlog of resurfacing work has built up due to resources being diverted, for a time, to the Frontier and Tourist car parks.

Several major schemes in the Development Programme have also stretched the capacity of the PWD Asphalt Plant. These include the West Side Comprehensive School Playgrounds and Car Parks, St Jago's and St Joseph's Housing Estates and the new Power Station.

The work at Tank Ramp will be completed once these major schemes are finished, hopefully before the end of the year.

SUPPLEMENTARY TO QUESTION NO. 233 OF 1982

HON A T LODDO:

Mr Speaker, at the risk of asking the Minister to fall into the trap of the frontier date giving, can he give this House a date, yet another one?

MR SPEAKER:

He said before the end of the year.

HON A T LODDO:

It could be December the 30th.

HON M K FEATHERSTONE:

No, Sir, it will probably be December the 31st.

THE HON A T LODDO

Mr Speaker, has Government considered the recommendations of the Chief Restorer of the Department of the Environment's Conservation Studio in London and when will it be implementing these recommendations?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the Chief Restorer of the Department of the Environment's Conservation Studio in London made recommendations on the restoration of:

- (a) the murals at The Convent
- (b) the Bacarisas Painting at the City Hall, and
- (c) the mural at the Collection and Billing Section at John Mackintosh Square.

It is not considered that there is anyone in Gibraltar with the necessary expertise to undertake the restorations recommended by the Chief Restorer. The implementation of these recommendations, which will require the engagement of an experienced practitioner from UK to restore the murals as well as sending the Bacarisas painting to UK, is still under consideration.

SUPPLEMENTARY TO QUESTION NO. 234 OF 1982

HON A T LODDO:

Mr Speaker, has the Minister any idea when the deliberations of the Government on this subject will be through?

HON M K FEATHERSTONE:

I would hope, Sir, that we will have some decision within the next three months.

NO. 235 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government provide protective iron grills for windows of Government houses overlooking the Hargraves Playing Area?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, presumably the Hon Member is referring to Hargraves Barracks and/or the new St Jago's Housing Estate. Hargraves Playing Area is protected by a 12 ft high wire fence which has recently been repaired. This should, in normal circumstances, prevent ball playing games from annoying residents in the area. However, to avoid the possibility of breakage of glass in the event of a ball being kicked over the fence I am willing to protect the windows by providing an expanded metal mesh over the frame.

12.10.82

NO. 236 OF 1982

ORAL

THE HON A T LODDO

Will Government either repair or demolish the stone bench in the Public Markets?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

Mr Speaker, provision has already been made in this year's Estimates for the repair of the stone bench at the Public Market and work will be effected by the Public Works Department according to their works schedules.

NO. 237 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, has the Minister for Public Works taken any action with regard to the wholesale tipping of rubble at King's Lines from works in Road to the Lines?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the area referred to is being converted into an amenity area, at the General Contractors own expense, which will give facilities for residents for play and relaxation in a part of town where such facilities do not exist. The project is due for completion by the end of 1982.

SUPPLEMENTARY TO QUESTION NO. 237 OF 1982

HON A T LODDO:

Mr Speaker, I do not think this is quite the answer that I am looking for. Has the Minister been up there to see that most of these old walls pertaining to the Moorish Castle have been practically covered over with rubble which now extend into King's Lines? Is nothing going to be done to prevent this very historic part of our heritage from being lost?

HON M K FEATHERSTONE:

Sir, I understand that the area is in a pretty bad mess at the moment but the contractors do inform me that when they have finished it will preserve the wall and will provide this amenity area. It is at the moment rather what appears to be a general tipping area and then they will then get to work and smooth it out and make it into a proper amenity area at the end of the contract that they are working on at British Lines Road.

HON A T LODDO:

Mr Speaker, have we any idea when this contract will be coming to an end?

HON M K FEATHERSTONE:

Yes, Sir, by December.

HON A T LODDO:

December, 1982?

HON M K FEATHERSTONE:

1982, Sir.

12.10.82

NO. 238 OF 1982

ORAL

THE HON W T SCOTT

Sir, will Government give the figures and costs for Water Production from available sources for the months of March, April, May, June, July and August, 1982, and state what the stocks were at 31st August, 1982?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Sir, the information required is contained in the paper which I am circulating. I shall of course be happy to answer any queries.

SUPPLEMENTARY TO QUESTION NO. 238 OF 1982

HON W T SCOTT:

Whilst we are waiting for that paper perhaps it might be a convenient moment, Mr Speaker, to ask the Government whether instead of me asking this question every time the House meets, whether at the end of the month I might be circulated with the monthly figures?

HON M K FEATHERSTONE:

I will do my utmost to give you them within fifteen days after the end of the month.

NO. 239 OF 1982

ORAL

THE HON W T SCOTT

Sir, will Government give the reasons why there has been flooding during the summer months in a number of blocks in the Varyl Begg Estate?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, it is difficult to give a concise and factual reply to such an ambiguous question. The flooding that has occurred at Varyl Begg during the summer months has been due to the following causes.

Firstly, there has been at least one reported instance of a burst salt water pipe. Secondly, there was a heavy downpour of rain on the 27th August, which affected blocks whose roofs were not yet completed. In one instance there was a blocked rainwater downpipe which backed up and caused water to spill on to one of the interior dewatered roofs and thence into the flat below.

Although in the normal course of usage it is unusual for water pipes to burst, there have been cases where tenants have carried out their own water heater installation or plumbing alterations in a manner which has resulted in the spillage of water on to the ceiling of the flats below.

SUPPLEMENTARY TO QUESTION NO. 239 OF 1982

HON W T SCOTT:

I am rather concerned, Mr Speaker, with the flooding that occurred of the blocks' drain. Was this drain in a block the new roof of which had been completed?

HON M K FEATHERSTONE:

No, Sir, they had not completed it but following that I gave instructions that all downpipes should be checked to see that there was no blockage in any of them pending the forthcoming rains which we hope will come near the end of this month but the one that was actually blocked was in a roof that was still being worked on and they had not checked the drain itself.

HON W T SCOTT:

Is the Hon Member now able to inform this House whether all the drains have been unblocked?

HON M K FEATHERSTONE:

All the downwater pipes have been checked, yes, Sir.

NO. 240 OF 1982

ORAL

THE HON W T SCOTT

Sir, is Government now in a position to take legal action against the Consultants on the Winning of Sand Project on the East Side?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government have appointed independent technical advisers who have produced a first report which indicates that Government have good grounds for claiming against Messrs Robertson's Research Ltd.

An initial meeting has been held with Robertson's Research Ltd at which both legal and technical advisers were present, and Government's case was clearly stated. Messrs Robertson's Research Ltd are now considering the Government statement of intention to sue, and a response from their Board is awaited.

SUPPLEMENTARY TO QUESTION NO. 240 OF 1982

HON W T SCOTT:

We first had indication, I think, Mr. Speaker, some time in February of this year on the appointment of technical consultants and here we are again in October. Are we to wait for another never ending saga like the Varyl Begg Estate at the cost of the public? I am asking the Government what form of priority are they putting to this because that project which was totally funded at least 95% by ODA funds puts us in a virtually bad situation.

HON M K FEATHERSTONE:

I would not say it puts us in such a bad situation as it puts the consultants who advised us and devised the scheme. We are, as I said, awaiting their reply, we are not going to wait forever. The meeting was held on the 2 September, I think it is not unfair to give them six or eight weeks but if by the end of this month we have no reply that is of any value to us, then I think we shall have to take absolute action.

HON P J ISOLA:

Is the Minister promising the House that if there is no reply by the end of the month, at the next meeting of the House when we ask a question about it he will announce the institution of legal proceedings?

HON M K FEATHERSTONE:

That, Sir, of course, is subject to the advice I get from my legal advisers.

HON P J ISOLA:

Mr Speaker, is the Minister not really following the same path that was done in the Varyl Begg Estate when independent consultants were appointed, the whole process went on for years and in the end it cost the Gibraltar Government £1m? Can we have assurances that we are not going along the same course?

HON M K FEATHERSTONE:

I think there is no parallel in this instance to the Varyl Begg Estate.

HON P J ISOLA:

Can we have the assurance that we are not going along the same course where in the end in order to finish with the matter and give the tenants of Varyl Begg new roofs, a very bad settlement was done by the Government? Are we going to have the same situation here?

HON M K FEATHERSTONE:

I would not agree, Sir, that a very bad settlement was made in the Varyl Begg case but this case has no parallel with it and we are pursuing completely different lines all the way through.

HON W T SCOTT:

Mr Speaker, might I ask a supplementary that if in the opinion of the new technical consultants further financial outlay has to be expended precisely to abstract sand from the top slopes, who is going to pay for that extra money?

HON M K FEATHERSTONE:

That would be part of our claim against the Robertson's Research company.

HON P J ISOLA:

Has the Minister any idea of what the cost of the independent consultants is to the Gibraltar Government, he has been quoted a fee?

HON M K FEATHERSTONE:

I should say between £10,000 and £15,000.

HON A J HAYNES:

Can the Minister say whether the winning of sand project is one of those which Government classify as not only desirable but essential for Gibraltar?

MR SPEAKER:

We are not going to go into that now.

HON G T RESTANO:

Might I ask a question, Mr Speaker, which I do not think has been clarified in the House yet. What is the explanation by Robertson's International for the non-functioning of the sand project?

MR SPEAKER:

No, we are not going to go into that either.

HON G T RESTANO:

I think it is relevant, if I may say so, Mr Speaker, because the question relates to the legal side.

MR SPEAKER:

The question is, is Government now in a position to take legal action?

HON G T RESTANO:

It refers to the legal action and I would like to know what the other side is saying.

MR SPEAKER:

We are not going to get involved in the intricacies of the legal action itself. All we are interested in this question is what is Government doing to enforce its rights. We are not going to discuss under this question the intricacies and the merits of the claim.

HON G T RESTANO:

I entirely agree. I wanted to know in broad terms what Robertson's argument has been.

MR SPEAKER:

I would allow a question as to whether there has been an indication by Robertson's as to whether they are going to accept liability, no more than that.

HON M K FEATHERSTONE:

Sir, at the meeting with Messrs Robertson's Research in which the case for Gibraltar was very strongly put, even if I say it in all modesty, Robertson's Research only commented that they would be replying to all our allegations shortly. Until I get their reply I cannot really say what is their opinion.

NO. 241 OF 1982

ORAL

THE HON W T SCOTT

Sir, does Government not consider that the existing state of the sand slopes West of Sir Herbert Miles Road and South of the Caleta Palace Hotel to be in a dangerous condition and what measures is Government taking to minimise this danger?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, landslides have occurred on the sand slopes referred to and there is always the possibility that further slips could occur in the future. Sand slopes, by virtue of their structure, have an inherent degree of instability and minor land slips, triggered off by extraneous actions, must be expected to occur from time to time.

In the area to the South of the Caleta Palace Hotel, a contract will soon be awarded to replace an old masonry retaining wall. To the West of Sir Herbert Miles Road little physical restraint can be instigated at the source of any slip owing to the elevation and location.

SUPPLEMENTARY TO QUESTION NO. 241 OF 1982

HON W T SCOTT:

Does the Government not agree that the frequency of the sandslides has been substantially increased because of the abstraction of sand at the lower level by the Gibraltar Sand Quarry Company?

HON M K FEATHERSTONE:

No, Sir, Government would not agree to that. There is the possibility that it may have accelerated a possible slip but I would not agree that it has been the cause of any such slip. The whole question of the sand slope from the very top of the catchments down to sea level is such that there are continually small slips at all times and depending on the weather situation, especially when we have very hot fine and dry weather for long periods, minor slips are always occurring.

HON W T SCOTT:

Does Government therefore not agree that by abstracting the sand from the lower slope at road level, it is greatly increasing the danger of there being a substantial slide?

HON M K FEATHERSTONE:

The abstraction at the lower slope was done on the advice of Messrs Robertsons Research which has been one more thing which we have laid at their door in any possible action but from what I understand from persons who are knowledgeable in this, the actual extraction has been done in such a way that it would make only a limited possibility of an increase of a slide.

MR SPEAKER:

Next question.

12.10.82

NO. 242 OF 1982

ORAL

THE HON W T SCOTT

Sir, when will the new Desalination Project Contract be awarded, what will be the contract period and what annual capacity will it have?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Sir, the tender validity period expires at the end of October, 1982. It is hoped that Government will be in a position to place a contract for the new Desalination Plant by that time.

The contract period for one plant is 78 weeks.

The capacity of the Desalination Plant will be 1350M³/day. Annual capacity will depend on the number of days it is used.

THE HON MAJOR R J PELIZA

Can Government state if they have exhausted their capability to make Gibraltar clean and tidy and if not what plans have they got to put this matter right once and for all?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government continues in its efforts to make Gibraltar cleaner and tidier. With the cooperation of the Keep Gibraltar Tidy Committee many measures to improve the situation have been implemented. These include advertising campaigns which are still in progress, provision of extra litter bins, increase in penalties for littering and vandalism to trees, new regulations governing the placing of refuse on Public Highways. The cleaning up of specific areas also continues.

There is unfortunately no easy and permanent solution to the problem unless there is cooperation from all sections of the community. Unfortunately public cooperation is not as great as one would wish.

SUPPLEMENTARY TO QUESTION NO. 243 OF 1982

HON A T LODDO:

Mr Speaker, I notice that one of the measures taken is increased fines for littering and vandalism to trees. How many people have been prosecuted and eventually fined the maximum of £100 since the introduction of the new Litter Law, would the Minister be in a position to answer that?

HON M-K FEATHERSTONE:

Sir, I cannot give details as to the number of the people that have been fined etc. I know a number of people have been fined and I personally and also the Chairman of the Gibraltar Keep Tidy Committee have been pressing the Police to take increased action. Perhaps I might use the privilege of this House to make the comment that certain sectors of people feel that when people are taken to Court they are treated perhaps a little lightly by the Magistrate and I do not think any of the maximum penalties have so far been imposed. I believe the maximum fines that have been imposed so far have been £10, £25 and I think one or two instances of £50.

HON A T LODDO:

Mr Speaker, would not the Minister agree then that the law is only useful if it is enforced and would the Minister give the House a list, not necessarily the names, but the number of people who have actually been fined?

HON M K FEATHERSTONE:

Yes, Sir, I can find the list of offenders that have been prosecuted. I will also continue pressing that the Police should take more stringent action and I would hope that the judiciary may note the comments that it is felt in some quarters that if action is taken substantial fines might be the result.

HON A T LODDO:

Mr Speaker, I take it that the Minister is saying yes, that he will let us know?

HON M K FEATHERSTONE:

Yes.

HON G T RESTANO:

I hope he lets my Hon Friend Mr Loddo know rather better than he let me know in a previous question when he promised to give an answer and find out information which he did not know

MR SPEAKER:

Was the answer in connection with this particular question?

HON G T RESTANO:

Well, I think it is essential.

MR SPEAKER:

You were promised an answer in connection with another question which you have not got, fair enough, but it is not the time to ventilate it.

HON G T RESTANO:

I am just saying that I hope that the Minister will in this case give an answer and not just forget about his promise when he makes a promise.

HON CHIEF MINISTER:

Mr Speaker, I think it would be helpful if Hon Members ask questions and answers are promised and they are not given, which should not happen, they should not wait until the next meeting. If they are really interested in the subject they should ginger up the Minister and write a note saying: "You promised an answer at the last meeting of the House of Assembly, what about it?" If they do not do anything and they come back here with a letter like that then we shall take a much serious view but sometimes files and so on slip away from offices and sometimes it is not even the Minister's fault if the matter is not brought up. There is a rule which I have given that every undertaking given by a Minister in this House when we get the record it is followed up.

Sometimes they may fail but it certainly would be helpful if Members, very rightly, should remind Ministers. I would like to take this opportunity of saying something else about the question of the penalties. We take a very serious view on this question of the cleanliness of Gibraltar and in fact I propose to instruct the Legal Department when there is a particularly blatant case to send somebody from the Law Officers Department to prosecute and to bring to the notice of the Court the importance that the Government gives to the enforcement of the increased fines.

HON MAJOR R J PELIZA:

Mr Speaker, one more question to the Minister. Since he says that everything that they have done does not seem to be productive in making Gibraltar tidier and cleaner and we are still getting a very bad name both locally and abroad on this and he said that public cooperation is required, could he concentrate his efforts 100% in trying to get public cooperation?

HON P J ISOLA:

Mr Speaker, I would like to ask the Minister whether he has ascertained from the Commissioner of Police what instructions are given to Policemen on the beat as to the infringement of litter laws because one sees them walking past rubbish outside houses or outside shops quite unconcerned. Are there any instructions given and if not why not? The law is there, what is the Police doing about it, this is what we would like to know.

HON M K FEATHERSTONE:

I am very glad for that question, Sir, I will place it in front of the Commissioner of Police and ask him to give me his comments on it. I have commented very strongly to the Commissioner of Police that I feel in many instances there are opportunities for the Police to use their endeavours less on looking for parking offences and perhaps more on litter offences.

HON ATTORNEY-GENERAL:

Sir, I would like to add something if I may. I am sure every Member knows that any law officer, any Constable, has a responsibility to enforce the law. I am sure there is scope for the Police administration to indicate to individual Constables what is considered to be a matter of priority at any time and if I may I will also make sure that this is a matter which the Commissioner of Police is aware but I would also like to stress that the responsibility does rest with each Constable to execute that himself according to his own judgement.

HON A J HAYNES:

Mr Speaker, will the Chief Minister explain or clarify what he said about Members who ask questions and are not given answers?

MR SPEAKER:

No, it has been said, it is on record and you can read the Hansard in due course. The Chief Minister most certainly said that he has given strict instructions that all undertakings given by Ministers in this House will be followed up but that on the other hand if they are not followed that the Members of the Opposition should not wait until the next meeting to call their attention to the fact but should write a memo and ask them for the answers, that is all the Chief Minister said.

HON P J ISOLA:

Mr Speaker, it is a matter for us how we conduct our affairs but I would like to ask

HON CHIEF MINISTER:

For God's sake, Mr Speaker, will he give way?

HON P J ISOLA:

No, I won't. I would like to ask

HON CHIEF MINISTER:

This is most improper.

MR SPEAKER:

Order, order.

HON P J ISOLA:

I would like to ask the Minister for Health what instructions are given to the Environmental Health Officers about these rubbish dumps, are there instructions given?

HON J B PEREZ:

Strict instructions are given, Mr Speaker, they have been given for quite some time, in fact, on certain occasions even overtime has been given to members of the Department to try and bring prosecutions.

HON CHIEF MINISTER:

Mr Speaker, I would like to withdraw the offer that I have made in view of the remarks of the Leader of the Opposition who seems to be such a prima donna with his party. I withdraw the offer that they should write to Ministers, unless they want to. This was done in good faith but it appears that it is taken as a reflection of how they ought to conduct their business. If that is the childish way in which an attempt is made here and is received, then it is worth nothing really.

MR SPEAKER:

Order, I will not have anything more said on this question. The Chief Minister has made a statement and the Leader of the Opposition has replied and that is the end of the matter.

HON P J ISOLA:

Mr Speaker, I just made a passing comment, I did not think it was going to arouse the ire that it has done.

MR SPEAKER:

Next question.

NO. 244 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, why are parts of the Alameda Gardens, our only park, allowed to remain unkempt and dirty?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the Alameda Gardens are cleaned regularly, but whenever there is a shortage of staff only the more important sections can be done.

Unfortunately, most of the staff has been away for the past two weeks during the Moroccan Feast of the Lamb.

The staff is now returning and the backlog of work is being tackled.

SUPPLEMENTARY TO QUESTION NO. 244 OF 1982

HON A T LODDO:

Mr Speaker, I cannot accept that. As a regular user of the Alameda Gardens I know areas which have not been cleaned for the last six months, not two weeks. Will the Minister ensure that the Alameda Gardens which are visited regularly by residents of the Hotel on the Upper Rock as well as by local people wishing to make use of the park, will the Minister ensure that these areas are cleaned and not just the entrance to the Alameda Gardens?

HON M K FEATHERSTONE:

I shall pass your remarks to the Alameda Gardens authorities.

MR SPEAKER:

Next question.

NO. 245 OF 1982

ORAL

THE HON G T RESTANO.

What are the criteria for the collection or non-collection of refuse placed in cardboard boxes?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, although the Litter Rules 1981 allow only for refuse to be placed in covered dustbins or sealed plastic bags some householders continue to place refuse in cardboard boxes. For the present this is also collected providing the boxes do not contain any debris or other building materials.

SUPPLEMENTARY TO QUESTION NO. 245 OF 1982

HON G T RESTANO:

May I know the reason for that particular regulation, Mr Speaker? Why should rubbish not be collected in cardboard boxes?

HON M K FEATHERSTONE:

Because the Government in its wisdom thought fit that refuse should either be placed in a proper dustbin or in sealed plastic bags. The difficulty of cardboard boxes is that very often moist waste is put into them and when one goes to pick them up the bottom falls out and the whole lot spreads all over the pavement and causes a considerable delay if the refuse collector is going to get a shovel and pick it all up and carry it to the refuse vehicle. Therefore Government felt that it should either be in the proper dustbin which can be carried to the vehicle or in a plastic bag which can also be carried to the vehicle. I mention this because very often the refuse is placed forty or fifty yards from where the actual refuse vehicle is.

HON G T RESTANO:

Mr Speaker, I recognise the problem but on the other hand I think the problem itself of having moist waste put in these cardboard boxes can only be, surely, a small percentage and I think it is bad for the image of Gibraltar and I would ask the Minister, would he not agree, I have seen the refuse lorry going up Main Street picking up plastic bags and leaving hosts of cardboard boxes. Would he not agree that this does not give Gibraltar a very good image and would he not within the problems that the bottoms might fall out get his Department to try and clear those boxes on a daily basis because people do put them out, or else fine people who put them out?

HON M K FEATHERSTONE:

I am glad he made the last remark about fining people for not putting it into plastic bags. The whole question of cardboard boxes is to be deprecated partly, as I said, that wet refuse is

put in them and also on days when it rains the box becomes completely soggy and unmanageable. As far as the refuse lorry going up Main Street and leaving cardboard boxes not containing refuse then that is not what they are told to do, they are supposed to pick up eight cardboard boxes from each establishment, if there are twenty-eight then they would be justified in leaving the other twenty. The situation is that this collection of eight cardboard boxes as trade refuse is a privilege if there is more than that then it should be either taken by the person who creates the refuse or paid for to Government to take it away.

HON G T RESTANO:

Would the Minister investigate or have instructions given so that cardboard boxes, not twenty-eight, nothing like that, I have seen one or two just left there and the plastic bags collected and I do not think it is good for the image of Gibraltar and I would ask the Minister would he give instructions for those cardboard boxes, they are few in number, to be collected?

HON M K FEATHERSTONE:

I am willing to instruct the refuse collectors to pick up, as I said, the requisite number of trade refuse cardboard boxes but I would make the point that traders could assist if they would flatten up the boxes into a small quantity rather than leave great big empty boxes lying all over the place.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Would Government consider having morning refuse collection in Main Street carried out somewhat later than at present so that it takes place after shops open thus eliminating the problem of non-collection?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the present refuse collection service with the last collection from the town centre commencing at 9.30 am was set up in order to remove all unsightly refuse bins, bags, boxes, etc from the centre of the town as early as possible in the morning and also to minimise traffic problems caused by refuse vehicles in our narrow streets.

SUPPLEMENTARY TO QUESTION NO. 246 OF 1982

HON G T RESTANO:

Mr Speaker, I did not quite catch the earlier part of the answer, he said by 9.30 am?

HON M K FEATHERSTONE:

No, it commences at 9.30. Unless you happen to be at the very commencement of the pick-up area, the refuse lorry will get there at quarter to ten or even ten o'clock. I would be willing to consider, perhaps, a slightly later commencement of the rounds but I would bring out the point that the Chamber of Commerce were very strong in not desiring the refuse lorry to be travelling up Main Street at eleven or twelve o'clock in the morning when they considered it interfered with tourism etc. This is one of the reasons why we felt that the latest time for commencement should be 9.30 but in most instances the lorry will get to the premises concerned sometime before half past ten.

HON G T RESTANO:

Mr Speaker, I am sorry, I must question that answer. I walk every morning down Main Street and it is round about nine o'clock that the lorry reaches Cathedral Square, it is much earlier than what the Minister has said. I would ask the Minister to consider this, not to start on Main Street and after all that is supposed to be the showpiece of Gibraltar for tourism and so on, not to start the collection before shops open, in other words, if it is 9.30, let it be 9.30, let it be enforced at 9.30 and let them not start collecting at the beginning of Main Street at 8.30. Would the Minister consider ensuring that that is done?

HON M K FEATHERSTONE:

I will see that that is done.

MR SPEAKER:

Next question.

NO. 247 OF 1982

ORAL

THE HON P J ISOLA

Sir, has Government completed its examination of the scheme for pedestrianisation of Main Street and Cornwall's Parade area and if so can a statement be made as to how the scheme is to be implemented?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government has completed its examination of the scheme for pedestrianisation of Main Street and the Cornwall's Parade area.

The conclusions and recommendations contained in the Consultant's Report on the feedback obtained from the general public following the public exhibition last May, have been published.

It is Government's intention to invite tenders for the development of the Command Education Centre in Cornwall's Parade early in 1983. This will include pedestrianised area proposals for part of Cornwall's Parade, Bell Lane, Cornwall's Lane and Horse Barrack Lane.

The re-submission of the Development Programme to ODA includes the total pedestrianisation scheme presented at the exhibition, the first phase of which would be that part of Main Street from its junction at Bell Lane and that at City Mill Lane, as well as proposed improvements to the Piazza at John Mackintosh Square.

NO. 248 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, would Government not agree that the state of the fountain at the Piazza on the occasion of the presentation to Admiral Woodward was a disgrace to Gibraltar and is it the intention to leave the fountain as it is?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Regretfully, yes, Sir. The fountain at the Piazza was out of order and undergoing repairs at the time. These repairs have since been completed and the fountain is now working.

SUPPLEMENTARY TO QUESTION NO. 248 OF 1982

HON A J HAYNES:

Why didn't the Minister consider putting plants for the actual event?

HON M K FEATHERSTONE:

Perhaps somebody in my Department might have thought of it but they did not.

MR SPEAKER:

Next question.

NO. 249 OF 1982

ORAL

THE HON A. J HAYNES

Sir, will Government make enquiries to locate the sections of the Old John Mackintosh Square fountain giving an approximate indication of the cost involved in replacing the missing parts?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, four sections of the Old John Mackintosh Square fountain are with the Public Works Department. These consist of the main bowl and three parts of the octagonal base.

The other five sections of the base, the upper smaller bowls and the ornate central sculptured column were destroyed as a result of bomb damage whilst stored at Victoria Battery during the war years.

Inquiries have been made regarding the possibility of restoring the fountain by replacing the missing parts and the advice has been that it would be impossible satisfactorily to match new marble to the old. It would therefore be a more practicable proposition to construct a replica.

SUPPLEMENTARY TO QUESTION NO. 249 OF 1982

HON A J HAYNES:

Does the Minister have any idea of what the cost involved in making a replica will be, I think it will be substantial?

HON M K FEATHERSTONE:

No, Sir, not from the top of my head but there are plans for a refurbishing of the Piazza and a new fountain is part of the idea.

HON A J HAYNES:

I am very glad to hear that, Mr Speaker.

HON MAJOR R J PELIZA:

Mr Speaker, regardless of cost I think the Minister has probably agreed that it would be nice to have part of the old fountain there even if it is only part, it would certainly enhance the fountain even if it entails a little extra cost.

MR SPEAKER:

No, with due respect. The Minister has not referred to the question of cost but to the question of the impossibility of matching the marble.

HON MAJOR R J PELIZA:

Perhaps I would even ask that that be done even at the expense of not being able to match the marble.

HON M K FEATHERSTONE:

I would not like to use part of the old fountain if it sticks out like a sore thumb from the new part. We might then get questions in the House why did we make such a hotchpotch of the whole thing.

HON A J HAYNES:

Undoubtedly, Mr Speaker. Is this information recent information, Mr Speaker, or is it sort of acquired wisdom from the ages?

HON M K FEATHERSTONE:

Fairly recent, we were actually looking at the fountain about two months ago.

MR SPEAKER:

Next question.

NO. 250 OF 1982

ORAL

THE HON W T SCOTT

Sir, will Government state the latest position on the development of the Woodford Cottage Site?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the position has now been reached that, following planning approval by Government of the outline drawings submitted by the Housing Association, the latter have commissioned a private architect to prepare more detailed drawings with a view to inviting tenders for the construction of the housing scheme.

SUPPLEMENTARY TO QUESTION NO. 250 OF 1982

HON W T SCOTT:

Mr Speaker, has Government set a time period to the Tenants Association by which time that site should be fully developed?

HON M K FEATHERSTONE:

Government has not specifically stated any time period as such but I am sure it is going to be in the tenants own interests because of inflation to get it done as quickly as possible.

MR SPEAKER:

Next question.

12.10.82

NO. 251 OF 1982

ORAL

THE HON G T RESTANO

Has Government any knowledge as to whether the Garrison Library is up for sale?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, Government has no knowledge to the effect that the Garrison Library is up for sale. The administration by the Committee of the Garrison Library Property is regulated by Statute.

THE HON W T SCOTT

Sir, will Government make a further comprehensive statement as to why it awarded the tender for the land in the multi-storey car park project to the lowest tenderer?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the reasons for awarding the tender of the development of a multi-storey car park at Casemates to the lowest tenderer were explained in some detail in a recent Press Release.

Four tenders were received in the following sums:-

£605,000

£200,000

£168,500

£105,000

When the tenders were first considered by the Development and Planning Commission it was found that, although the schemes conformed generally to the main concept of the proposals, there were certain deficiencies in all four schemes which were mainly related to the permitted density of development and other design considerations.

The Land Board then considered the tenders in detail and in addition to these planning and architectural considerations, found that further clarification was required in respect of the financial and contractual details submitted with the tenders. It was accordingly decided, in the interest of fair tendering, to inform the four parties of the deficiencies pertinent to each case in order to give them an opportunity to rectify their tenders. The four parties responded within the period allowed for rectification.

In two cases amended plans were submitted and the financial information requested was also submitted although some of this was couched in qualified terms and had to be carefully analysed in relation to the tender conditions. These stipulated, inter alia, that the successful developer would have to reprovide the present seven MOD quarters at an estimated cost of £300,000 before vacant possession of the site could be granted. The tender sum would, however, be payable within fourteen days of acceptance and not upon vacant possession as purported by the highest tender. This qualification was unacceptable to the Board as it was contrary to the conditions of tender. A detailed analysis then revealed that the next two highest tenderers had underestimated their costs of construction to an unrealistic level, putting the economic viability of their schemes into question.

The Board recognised that in the short term the other tenders were more attractive in monetary value but in the longer term the Board felt that the award should be made in the light of the wider economic, environmental and financial characteristics of each scheme. Points were accordingly awarded to each tender on the basis of the following criteria:-

- (a) The sum tendered
- (b) The economic viability of the scheme (eg estimated building and rental costs per square)
- (c) The record of the tenderers in completing development schemes and their standard of development
- (d) Environmental and architectural aspects
- (e) Compliance with the tender conditions.

On this ranking the Board unanimously decided that the tender submitted by Pall Mall Ltd, although the lowest, was the most advantageous.

SUPPLEMENTARY TO QUESTION NO. 252 OF 1982

HON A J HAYNES:

Will the Minister confirm that in this question of the tender there is something misleading insofar as one of the criteria which is stipulated which is the environmental side is not a feature in the tender document, will the Minister confirm that that is so? I have seen in the press that it has been alleged that it was and when I read the tender document it did not seem to me

HON A J CANEPA:

I am not prepared, Mr Speaker, to enter into any controversy about the exchange of correspondence that there has been in the press. That is not what the question is about.

HON A J HAYNES:

Mr Speaker, if I can clear the Minister's mind, I do not want him to come into the controversy, but will he indicate whether this further period to rectify the tender had anything to do with the environmental aspect?

HON A J CANEPA:

No, that had to do with the deficiencies that were found in respect mainly of density considerations and design considerations, angle of light, that sort of thing, under the Building Regulations and in fairness they were all given the same period of time to rectify the various deficiencies. They were all written to separately and they were all informed as to the deficiencies in each particular case and they were given an opportunity to rectify which they were all I think quite happy to meet.

HON A J HAYNES:

Mr Speaker, will the Minister say whether the other tenderers indicated that they were going to demolish rather than preserve certain parts of the building?

HON A J CANEPA:

I do not wish to get involved, Mr Speaker, into the question of the wall which is the subject of correspondence.

HON P J ISOLA:

Mr Speaker, am I right in assuming that the successful tenderer must have been enormously above the others on the question of economic viability, environmental and architectural aspects and compliance with the tender conditions?

HON A J CANEPA:

The Hon the Leader of the Opposition is quite correct. Obviously, in respect of the sum tendered they were bottom of the list but they scored very heavily in respect of the other criteria.

HON P J ISOLA:

No, but I have left out one criteria, Mr Speaker, the record of the tenderers. As I understand the position, Pall Mall Ltd is a very recently incorporated company with no record of development.

HON A J CANEPA:

There is the development of the Arcade in Main Street.

HON A T LODDO:

Is that the only development?

HON A J CANEPA:

That is not a great deal to be said for some of the others, I am afraid, some of whom have been hanging on to land undeveloped for very many years.

HON P J ISOLA:

Mr Speaker, as I understand it, I have been informed Pall Mall Ltd has no record of development at all.

HON A J CANEPA:

A company may have been formed especially for that purpose.

HON A J HAYNES:

Was it not the Minister who inquired into the background of the company?

HON A J CANEPA:

I did not inquire, no.

HON A J HAYNES:

I thought you were part of the Land Board. Mr Speaker, is the Minister for Economic Development part of the Land Board?

HON A J CANEPA:

He is the Chairman of the Land Board, I do not carry out the inquiries.

HON A J HAYNES:

Did the Minister not say that the Land Board inquired into the tenders?

HON A J CANEPA:

Of course.

HON A J HAYNES:

Why don't you know the answer?

HON A J CANEPA:

Of course we inquired and we got the information that we were seeking.

MR SPEAKER:

Next question.

NO. 253 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government state what other site were considered before deciding on a multi-storey car park at Casemates?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the concept of a multi-storey car park at Casemates was first mooted in 1977. Since then the Development and Planning Commission has considered two other outline proposals for a multi-storey car park on the USOC grounds and also in the Landport Ditch area.

In both cases the applications were turned down on planning grounds owing to the close proximity of the City Walls and other historical fortifications.

SUPPLEMENTARY TO QUESTION NO. 253 OF 1982

HON A T LODDO:

Mr Speaker, did the Government not consider at all the possibility of building the multi-storey car park in Alameda Grand Parade?

HON A J CANEPA:

I am going to be completely straight with the Hon Gentleman. The Government no, it had not considered building a multi-storey car park at Alameda Grand Parade. The proposal was made at a meeting of the Development and Planning Commission held perhaps a year ago or eighteen months ago by one of the MOD representatives and it was discussed by the Development and Planning Commission purely on planning grounds. More recently the Director of Public Works himself has been giving some thought to the possibility of underground parking, I think he would have in mind in Alameda Grand Parade, but this is just very much in the initial stages of consideration.

HON A J HAYNES:

Mr Speaker, has the Government considered two other potential sites which I certainly have thought would be appropriate, one is Bayside and the other is inside the Rock, using the tunnels inside the Rock and providing a service?

HON A J CANEPA:

Bayside has not been considered. Tunnels inside the Rock I do not think have been, what has been considered has been an ARP Shelter not for a multi-storey car park but for car parking there are problems with regard to fire safety precautions which would make it fairly expensive.

HON A J HAYNES:

Could I ask the Minister to clarify

MR SPEAKER:

We are not going to look round Gibraltar to find a site for a car park just because there has been a question as to whether other sites were considered when that particular one was selected. Next question.

NO. 254 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, is Government now in a position to make a statement on the Old Shell Petrol Station at the junction of Landport and Corral Road?

ANSWERTHE HON THE ATTORNEY-GENERAL

No, Sir. The matter continues to be the subject of arbitration.

SUPPLEMENTARY TO QUESTION NO. 254 OF 1982

HON A T LODDO:

Mr Speaker, does not the Government consider that it is about time that a decision was arrived at considering that this is prime land, a prime site which has been undeveloped for years and the question that I am raising today I have raised on a number of other occasions in this House? Does not the Government think it is about time that something concrete and definite was done?

HON ATTORNEY-GENERAL:

Sir, all I can say is the matter is subject of arbitration, the arbitration proceedings are continuing.

MR SPEAKER:

Next question.

12.10.82

NO. 255 OF 1982

ORAL

THE HON W T SCOTT

Sir, when does Government intend to put out the tenders for the Unstuffing Shed?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Sir, the invitation to tender was published in the Gazette on 12th August, 1982.

NO. 256 OF 1982

ORAL

THE HON P J ISOLA

Sir, will Government make a statement as to the progress of projects in respect of which British Government approval has been granted out of the £4m tranche of Development Aid promised in December last year?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, to date four projects amounting to £2.14m have been approved by the Overseas Development Administration. These are the Viaduct Causeway, Renewals of the Salt and Potable Water Mains, the Sewerage Pumping Station at Catalan Bay and the Container Unstuffing Shed. Progress on these projects is as follows:-

(1) Viaduct Causeway (£1,400,000)

A letter of intent for the appointment of consultant structural engineers has been issued and it is expected that the detailed design drawings, specifications and association studies will commence shortly. A start on construction work is not expected until the middle of next year. At the same time the Gibraltar Government is negotiating the detailed conditions for the handover of the Bridge and the North Mole with the Ministry of Defence. It is expected that these negotiations will be finalised shortly to enable strict adherence to the construction programme.

(2) Salt and Potable Water Mains Renewals (£335,000)

Design work on this project is almost completed. Quotations for the supply of materials (which account for a substantial part of total expenditure) will shortly be invited and an order should be placed by the end of the year. The date for commencement of works will depend on the timing of delivery of materials and the availability of direct labour. It is hoped that a start can be made before the middle of next year.

(3) Catalan Bay Sewerage Pumping Station (£90,000)

The preparation of contract documents and bills of quantity is nearly completed. Tenders are expected to be invited in November, 1982. Work should commence in December, 1982, and be completed in September, 1983.

(4) Container Unstuffing Shed (£311,000)

Approval was given in principle on the 24th September, 1982. A formal letter of approval is expected. Tenders for this project closed on the 22nd September, 1982. Work is expected to commence in November, 1982, and should be completed within nine months.

SUPPLEMENTARY TO QUESTION NO. 256 OF 1982

HON P J ISOLA:

Could I ask, Mr Speaker, as far as the balance of the £4m tranche is concerned, have projects been put in for spending and what is holding up approval of them?

HON A J CANEPA:

Two main projects, Mr Speaker. We have put in an application for reimbursement in respect of the funds spent on work connected with the abortive opening of the frontier, that is quite a sizeable sum of money, and we are asking for the balance to be held back pending a decision on the distiller.

HON W T SCOTT:

Mr Speaker, some of these projects in fact have risen substantially in value from the approved estimates, for example, the Causeway which was originally estimated at £1m in April of this year is now £1.4m, I think that is the one that strikes me most there are others of £80,000. The new Pumping Station at Catalan Bay has risen from £80,000 to £90,000.

HON A J CANEPA:

I have not got the estimates with me, Mr Speaker. I am not sure whether the figure in the estimates applied to the, what is the page?

HON W T SCOTT:

Page 103, Head 107 dealing with the Causeway.

HON A J CANEPA:

At the time when the estimates were prepared this was more of a rough estimate, not a calculated estimate. The latest figures that I have given are much more up-to-date, much more accurate.

HON W T SCOTT:

Perhaps, Mr Speaker, I might understand the difference in the Unstuffing Shed of £1m to £311,000 and the Catalan Bay Pumping Station, but the Causeway seems to have jumped up by a factor of 40%, this is really bad estimating.

HON M K FEATHERSTONE:

The actual figures for the Causeway were a very rough estimate. On looking at it closely there is far more in the actual work than was originally envisaged, there is a fair quantity of extra rock over the amounts that were estimated by PWD engineers, the consultants have given a considerably higher figure of the amount of armoured rock and fill required and there is also a certain measure of altering pipes for MOD etc which has also got to be taken into consideration.

HON W T SCOTT:

I do not want to labour the point, Mr Speaker, but surely all these things seem simple enough to have been taken into account originally.

HON M K FEATHERSTONE:

No, Sir, the question of the Causeway has not been really worked out to a finer figure until consultants were actually appointed. The PWD engineers who did it were not experts on this sort of thing and they only gave what they considered to be a reasonable order of costs but of course the consultants come up with more accurate figures.

HON J BOSSANO:

Mr Speaker, could I ask the Minister for Economic Development about these negotiations that he mentioned regarding the Causeway for the handing over of the bridge and the North Mole. I think he said at one stage in the House that in fact the Ministry of Defence was linking the handing over of the North Mole to the closure of the Dockyard. Has there been a change of policy on the Ministry of Defence part in that respect?

HON A J CANEPA:

Well, we certainly do not accept that.

HON J BOSSANO:

I know that he does not accept it, Mr Speaker, but what I want to know is whether the Ministry of Defence still maintain the same position or whether it has changed because if it has not changed and he does not accept it then he may not be able to build the Causeway in the middle of next year, is that right?

HON A J CANEPA:

I hope that it should not come to that.

HON J BOSSANO:

I hope so as well, Mr Speaker, but I want to know what the position is.

HON A J CANEPA:

We could probably proceed with the Causeway without prejudice to the actual negotiations on the lands memorandum. The fact is that we have not accepted the linkage that has been made I think, but the Minister for the Armed Forces on the matter and since then the Ministry of Defence have been silent.

MR SPEAKER:

Next question.

NO. 257 OF 1982

ORAL

THE HON J BOSSANO

Can Government confirm that in the current financial year they will be spending less than £1m of the £4m of development aid which the British Government granted in December last year?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Yes, Sir. The House should note however that this is a direct result of delays on the part of the Overseas Development Administration both in agreeing to discussions on the allocation of aid funds and the granting of approval to individual projects. As the House is aware, the Government forwarded its 1981/86 Development Programme submission in February, 1981. Since agreement was reached on the £4m tranche of development aid funds in December last year, a total of twelve project applications have been sent to the ODA. Projects for housing and other social development, which were not approved, would have generated a much higher level of expenditure during the current financial year.

NO. 258 OF 1982

ORAL

THE HON J BOSSANO

Can Government confirm that it has agreed not to permit hotel development at Parson's Lodge?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, at the last meeting of the House I gave an account of the position regarding the development of Parson's Lodge, this was at the time of the Third Reading of the Museum Antiquities Ordinance. I explained that the option given to the Company interested in developing the site as an hotel expired on the 30 June and since they failed to submit their feasibility study and other details within this extended time limit, the option was no longer valid.

It is unlikely that a hotel development of the magnitude envisaged will materialise at this point in time. The Development and Planning Commission, therefore, feels that rather than allow the site to fall to waste, a more modest development would be acceptable and in this connection the Commission is pursuing the idea of a tourist orientated development which could retain and exploit the military and historical character of the Battery.

This does not mean that the Government has agreed not to permit hotel development. Should there be a sudden change in circumstances which would revive interest in the hotel development, the proposals would be considered in the light of the economic climate and the overall needs of the community.

The Government has in fact invited outline proposals for the development of an hotel in Engineer Battery and although the site is somewhat smaller than Parson's Lodge the reaction will be indicative of potential interest in hotel development. The closing date for submission of proposals is 12 November, 1982.

SUPPLEMENTARY TO QUESTION NO. 258 OF 1982

HON J BOSSANO:

I am grateful for that answer, Mr Speaker, in fact, am I right then in deducing from that that the report that the Government had given some sort of undertaking to the conservationists that they would not permit hotel development are inaccurate, it is just that at the moment there is not anybody trying to develop it as a hotel which I understand perfectly but it is not that the Government under pressure from the Conservation Society has taken a policy decision on this matter?

HON A J CANEPA:

The understanding of the Hon Member is correct.

HON MAJOR R J PELIZA:

Mr Speaker, has the Minister for Economic Development taken into account the views of the present hoteliers who fear very much that their occupancy is certainly not above 40% and that they feel that with the lack of capacity in air travel and so on the development of more hotels would only produce even more adverse effects on them which as the Minister knows are very clear in the way they are not paying the bills to the Government?

HON A J CANEPA:

I am aware of that, Mr Speaker, not because the views have been communicated to me personally as Minister for Economic Development, but I understand that the matter has been raised in the Tourist Advisory Board and in the same way as the Hon Member is kept in the picture as to what goes on in the Tourist Advisory Board I from time to time do manage to glean some information as well as to their deliberations but I would like him to bear one thing in mind. What is a Minister for Economic Development expected to do if there is somebody willing to come forward and invest £5m on an hotel that will generate a lot of employment for the construction industry, that will get money moving into an economy that needs that money and that will also provide perhaps upwards of 100 jobs for the tourist industry.

HON MAJOR R J PELIZA:

Would the Minister take into account, of course, the possibility of hotels which are open now closing down?

HON A J CANEPA:

Mr Speaker, hotels sometimes are able to generate their own traffic. For instance, in the case of Engineer Battery that is an hotel which is intended to cater for the up-market which other hotels perhaps are not catering for that so they would tend, I think, to take the necessary steps to be able to attract the necessary number of visitors to ensure viability.

HON MAJOR R J PELIZA:

Is the Minister saying that if the hotel that is envisaged would be built would not compete with the existing ones but would bring more trade, it would be in agreement but otherwise it would not or would he still go ahead even if the hotel is going to produce wasteful competition?

HON A J CANEPA:

Ultimately, I would leave that to the commercial judgement of the people concerned.

MR SPEAKER:

Next question.

NO. 259 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government outline the proposed improvements in the £4m project for facilities for cruise liners and ferry services and will Government undertake interim measures to improve facilities?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the development scheme recommended in the 1981 Port Study Report, accepted in principle by the Government, for the improvement of cruise passenger and ferry services involves reclamation of the Waterport Basin and rationalisation of facilities along the Western Arm. The reclaimed area would provide facilities to cater for passenger and freight roll on/roll off traffic, including the construction of additional berths, a passenger terminal building, a vehicle inspection shed and adequate parking and marshalling areas. A new cruise passenger terminal is planned alongside the north jetty adjacent to the new Port Office. Provision will be made for toilet facilities, parking bays and associated services. The development of these facilities will depend on the outcome of consultations both on the 1981/86 Development Programme and on the proposals for the commercialisation of the Dockyard. At this stage therefore the Government considers it is better to defer expenditure on interim measures to improve facilities.

SUPPLEMENTARY TO QUESTION NO. 259 OF 1982

HON A J HAYNES:

Mr Speaker, I notice the change of Minister in answering the question and I was rather hoping that the change of Minister would mean I would get a favourable response and he stonewalled all over again. If my memory serves me correctly, Mr Speaker, and will the Minister confirm or deny, as I understood the position if Government took the view that the £4m were not going to be made available to them then they would undertake their own interim measures. Are they now saying that they are not going to take interim measures regardless of whether or not the £4m is coming their way?

HON A J CANEPA:

If ODA are not forthcoming with the necessary millions that are required for the major schemes we would have to look and consider interim measures particularly at the north jetty. In respect of the north jetty there is a difficulty because there is a degaussing station there which I understand that the Ministry of Defence would like to hold on to and I told Mr Blaker when he was here in Gibraltar recently that we wanted that and that they should resite the degaussing station but we require that area because that is where we intend to have the passenger terminal. I have mentioned the commercialisation of the Dockyard but I would rather not pursue that here in the House and I could inform the Hon Member confidentially in the Lobby of the House as to the linkage that I make on that one.

HON A J HAYNES:

I am very grateful to the Minister and I will take him up on that one. Notwithstanding, Mr Speaker, will the Minister consider investing really paltry sums like even borrowing the shed and not taking it over fully, for the interim and putting a small bar there?

HON A J CANEPA:

What shed?

HON A J HAYNES:

This degaussing shed.

HON A J CANEPA:

It is not a shed, it is a station with equipment in it.

HON A J HAYNES:

Can he not do anything like sort of instal some lavatories

HON A J CANEPA:

I cannot do very much more than tell Mr Blaker that they have got to move and that they must move because Gibraltar requires that, that is going straight to the horses mouth, as it were.

HON A J HAYNES:

I take the point, Mr Speaker.

MR SPEAKER:

Next question.

NO. 260 OF 1982

ORAL

THE HON W T SCOTT

Sir, what projects does Government now have which are not subject to ODA funds?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the eligibility of development projects for ODA funding depends on the agreed level of capital aid and the criteria applied by the ODA for project selection. At this stage, the Gibraltar Government is still awaiting final consideration by Her Majesty's Government of the 1981/86 Development Programme as a whole. A revised aid submission was recently sent to Her Majesty's Government, reiterating inter alia the case for housing and social development projects which, under the £4m aid tranche, were recently rejected. I would therefore prefer to await the final outcome for a comprehensive reply to the aid submission before listing projects which might not qualify for ODA funding. I can inform the House however that the 1981/86 Development Programme comprises a total of some forty projects for the development of infrastructure, the port, tourism, housing and other areas of social need.

THE HON MAJOR R J PELIZA

Has Government considered giving visitors to Gibraltar an incentive to shop as suggested previously at various meetings of the House of Assembly by myself?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

The Government is very conscious of the need to stimulate trade and agrees that visitors should be given every incentive to spend as much money as possible in Gibraltar. With this aim in mind at a meeting with the Chamber and representatives of the Tourist Industry on 5.7.82, I also invited suggestions from the trade which Government would consider and attempt to match on a quid-pro-quo basis.

Some ideas, including those proposed by the Opposition, have had to be discarded as impractical. Thus, as stated in reply to Question 131 of 1982, the question of negotiating fare reductions with tour operators, or the suggestion to reduce the £2 landing tax for day trippers from Morocco, have not been pursued because there is no guarantee that the benefits would be passed on by foreign tour operators to the passengers.

Likewise, the Government does not favour the introduction of VAT in Gibraltar. The questioner favours this duty, perhaps because it is possible to refund, on departure, the tax paid by visitors on their purchases. The case against VAT, however, was stated in the House in the Budget debate and rests on the high cost of administration and the unacceptable cash flow problems it would pose to the Government. Under the present system the Government draws its revenue immediately on the importation of the goods and not when the taxpayer decides to pay.

SUPPLEMENTARY TO QUESTION NO. 261 OF 1982

HON MAJOR R J PELIZA:

The Hon Minister has made a remark or has replied on the question of VAT but if he remembers rightly I also suggested that it could be done by refunding the duty paid on the goods which meant that that would overcome all the problems particularly of not getting the money immediately on the introduction of goods into Gibraltar and therefore it could be done under the existing form of duty at the moment being recovered from the goods.

HON A J CANEPA:

I am not all that well versed on the question of the mechanics, Mr Speaker, and the administration of duties. We found one difficulty in drawing up an answer to this question. First of all, the Hon Member had referred to various meeting of the House of Assembly and one had to pick up the Hansards and look back over various meetings to try to identify questions that had been put, let me say, not only by the Hon Member but also by the Hon Mr Loddo when the Hon Member was unfortunately, I think, absent at a particular meeting and not only did we have, therefore, questions on the same

matter being asked by different people but they were also answered by various Government Ministers including the Financial and Development Secretary and the Minister for Tourism. It was not easy, therefore, Mr Speaker, to try and collate something into a reasonably comprehensive answer which in the event it was decided that I should answer and which I did not have with me, apparently, but on the question of duties that he is asking I do not feel qualified to answer. It is a matter that I can look into but I do not feel qualified to answer here and now.

HON MAJOR R J PELIZA:

Are we not in a very sorry state that realising the period of depression that local traders are going through, that no apparent imaginative effort is being made to overcome this difficulty? I can see tourists coming to Gibraltar and seeing prices here which are almost the same wherever they come from.

MR SPEAKER:

No, let's ask questions.

HON MAJOR R J PELIZA:

Wouldn't it be, I think, a tremendous encouragement for them to come here and see that they could get something cheaper than in places they have come from and that would encourage many more visitors to come to Gibraltar? Couldn't the Minister apply more interest to this matter which is essential to the economic development of Gibraltar?

HON A J CANEPA:

Mr Speaker, I do not know whether he remembers what I said in the first paragraph. I said that I called a meeting on the 5th July at which there were representatives of the Chamber, of the Licensed Victuallers Association, the Gibraltar Hotel Association, the Shipping Association and other people involved in the travel trade and in the tourist industry. The meeting was also attended by my colleague the Minister for Tourism and the problems of the trade and of the tourist industry were discussed at that meeting in the light of the aborted opening of the frontier with a view to considering some measures that could be taken to attract tourism and so on. A number of suggestions were made by Government representatives, one or two suggestions came from the Licensed Victuallers Association on which action has been taken, the Government has committed itself to provide £60,000 odd more on advertising, some steps have been taken and I think the fact that one called that meeting was indicative of the interest which is taken and as I said I invited suggestions from the trade which the Government could consider and attempt to match on a quid pro quo basis. There has been, unfortunately, no follow-up to that meeting in respect of these suggestions that I wanted, mainly, I understand, because the people on the other side, as it were, in the private sector, cannot reach agreement or they are not agreed as to how to proceed. There is a certain element of controversy, I believe, between the Chamber of Commerce, the Hotel Association and so on.

THE HON G T RESTANO

Can Government state why Gibraltarian Registered or owned yachts are liable to the payment of a daily tax when in French Ports whereas such a tax is not liable for payment by yachts registered or owned in other EEC Countries and would Government take appropriate action to try to have the matter remedied?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Sir. In their 1982 Budget the French Government levied a tax of 3 francs per day per tonne on yachts calling at French Ports and flying the flag of a country which had not concluded a customs agreement with France or which were under the control of a resident of such a country. Yachts registered in the United Kingdom, the Channel Islands and the Isle of Man were exempt from the new tax by reason of the United Kingdom's accession in 1973 to a Convention made by the EEC countries in 1967 providing for mutual assistance between their customs authorities. Gibraltar was not at that time asked whether it wished to accede to the Convention. The result of the new tax is that the registration of foreign yachts is being transferred from Gibraltar to the Channel Islands and elsewhere.

After protracted correspondence between the Foreign and Commonwealth Office, HM Customs and Excise in the United Kingdom and the relevant French authorities it has now been confirmed that Gibraltar's accession to the 1967 Convention would resolve the problem of Gibraltar's registered yachts paying the "stop over" tax when visiting French ports.

The Government is at present considering the implications of Gibraltar's accession to the Convention and an early decision is expected.

SUPPLEMENTARY TO QUESTION NO. 262 OF 1982

HON G T RESTANO:

I would ask the Hon Member to expedite the matter since trade loss is trade very difficult to re-attract to Gibraltar.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Mr Speaker, I take the Hon Member's point and we will certainly expedite matters. What is holding us up at the moment is that we are trying to find out in practice how the Convention is worked, it is a highly complex Convention with a number of requirements placed on the signatory countries and we are trying to find out from the Foreign and Commonwealth Office how in practice the Convention works.

MR SPEAKER:

Next question.

NO. 263 OF 1982

ORAL

THE HON P J ISOLA

Sir, will Government consider waiving port dues in respect of ships awaiting orders?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

No, Sir. Port dues at Gibraltar are very reasonable and permit a vessel to remain in the anchorage for 14 days without further payment. Considering that the maximum sum payable is £150 for vessels over 100,000 tons nett, the Hon Member will appreciate that port dues do not really cause any burden on a shipowner.

It should also be noted that port dues at Alegeciras are on a daily basis. A vessel of, say, 10,000 tons would pay £139,48 a day as opposed to £60 for a fortnight in Gibraltar.

SUPPLEMENTARY TO QUESTION NO. 263 OF 1982

HON P J ISOLA:

Mr Speaker, I am not actually complaining about port dues I am only asking that in respect of a particular kind of vessel, a vessel awaiting orders, they should be waived. Is it not a fact that despite the reasonableness of port dues there are ships anchored on the East side of the Rock for considerable periods of time awaiting orders and would there not be benefit to the economy if these boats could be encouraged to anchor on this side and thus use Port services such as coming ashore for shopping, using medical services and so forth? The idea is to encourage those boats on the East side to anchor on the West as long as they are genuine cases of ships awaiting orders.

HON A J CANEPA:

I tended over the last few months to monitor the situation and I usually find that whereas in the Bay, let us say on the Gibraltar side, there may be sixteen or seventeen ships awaiting orders, by comparison with that figure on the East side there are only three or four, very much fewer. I am not encouraged in respect of the waiving of port dues by the response that there has been so far where we have waived charges for ships calling at Gibraltar for bunkers, it has not led to any increase. The Shipping Association tell us that this is something that you have got to have in operation for about a year before the word gets around, as it were. We have had this in operation from the beginning of January and the fact is that the number of ships calling for bunkers at Gibraltar have hardly gone up in spite of that concession and I am not encouraged by it nor do I honestly think that the numbers are that great. Yes, you do see a number of ships on the East side but not very many, three, four, five, perhaps, hardly more than that, whereas it goes well into double figures on this other side.

HON P J ISOLA:

If these three, four or five could be encouraged to come on the West side surely that must mean a little boost to the economy.

HON A J CANEPA:

It is not a great deal but we would lose some of the revenue that we are getting in respect of the much larger number that do come.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Will Government state when the cranes at the Port were last serviced and will Government state whether or not they have the necessary certificates of fitness or are otherwise in proper working order?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the two cranes owned by Government and used by the Port Department were last serviced and tested in February, 1982. The cranes used by Port Operators are not serviced by Government.

Section 29 of the Factories Ordinance provides for the maintenance and regular examination of cranes and other lifting machinery, and all reasonable steps are taken to ensure compliance with the relevant safety provisions of the law.

I should also state that Certificates of Tests are only required when the crane is taken into use for the first time.

SUPPLEMENTARY TO QUESTION NO. 264 OF 1982

HON A J HAYNES:

I am grateful for that information, Mr Speaker. Is the Minister aware that an accident, a serious accident, was only very narrowly avoided recently when a container fell onto another container and crushed it and had it been a winter event there would no doubt have been men sheltering in the empty container which was crushed? Can the Minister confirm that and can he give an explanation as to how that came about?

MR SPEAKER:

I will not allow the question of this particular accident to be discussed under this question under any circumstances. It has got nothing to do with cranes.

HON A J HAYNES:

Well, it was a crane, Mr Speaker.

MR SPEAKER:

We do not know.

HON A J HAYNES:

I know it was.

MR SPEAKER:

Perhaps you do but we do not. It is not part of the question. Your question asks: "Will Government state when the cranes at the Port were last serviced and will Government state whether or not they have the necessary certificates?". We are not going to investigate the reasons of an accident.

HON A J HAYNES:

Mr Speaker, if I may test your indulgence, can I put it this way. Will the Minister confirm that in spite of the servicing an accident has occurred with the crane?

HON A J CANEPA:

I am not in a position to confirm, Mr Speaker, I do not know.

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

Can Government state that if in their view the alternatives proposed to replace the economic activity of the Naval Dockyard will not be viable, they will make it known publicly?

ANSWERTHE HON THE CHIEF MINISTER

Sir, as made clear in the Press Release which was issued following my meeting with the Secretary of State in London on 24 September, further study will be undertaken as rapidly as possible, in full consultation between the British and the Gibraltar Governments, of the feasibility of a commercially operated Dockyard and, to this end British and Gibraltar Government officials will meet in London in mid-October. Whatever conclusions may emerge from this joint study and consultation will, of course, be made public at the appropriate time.

SUPPLEMENTARY TO QUESTION NO. 265 OF 1982

HON MAJOR R J PELIZA:

Yes, Mr Speaker, I know, consultations, but I think it is a very straightforward question and perhaps the Chief Minister could give a straightforward answer. If the Government feel that whatever is proposed will not result in a viability will they make it public?

HON CHIEF MINISTER:

That is exactly what I said in my answer that it will be known when the results of the consultations are finished and that the consultations will lead precisely to finding out whether it is viable or not.

HON MAJOR R J PELIZA:

And if it is not viable the Chief Minister will say so publicly?

HON CHIEF MINISTER:

It speaks for itself, if it is not viable it is not viable.

HON J BOSSANO:

Mr Speaker, I feel sure the Government will recognise there can be differences of opinion as to whether something is viable or not. Is it a fact that the Government itself will take a decision on the matter or does it have to be a joint decision between the British and the Gibraltar Government? I think the question from the Hon and Gallant Major assumed that it will be the Government who would be stating their view, not necessarily the view of the British Government.

HON CHIEF MINISTER:

I made it quite clear when I saw the Secretary of State that the responsibility for presenting a viable alternative to the Dockyard was the British Government's responsibility and not the Gibraltar Government's responsibility. Equally, we cannot shirk the fact that as the Government of Gibraltar we must help in the study but that the responsibility is the British Government's responsibility.

HON J BOSSANO:

Mr Speaker, was not the House told that the sequence of events was that the proposals would be looked at first by the Gibraltar Government and then subsequently by the British Government and that in fact the decision making was not necessarily a joint machinery but a separate machinery and what might be considered viable and acceptable by the British Government, using one set of criteria, might not necessarily coincide with the view of the Gibraltar Government using a different set of criteria? Is the Gibraltar Government saying that they will make up their own mind independently of the British Government as to what is viable and what is not viable?

HON CHIEF MINISTER:

The view of the Gibraltar Government will always be independent of the view of the British Government, if they coincide or not is another matter but the Gibraltar Government must have a view whether it is one way or the other and it will be made known (a) to the British Government when the matter is considered, and (b) to the people of Gibraltar when the time comes for taking the decision. I do not know what the reference to what has been said here is concerned but perhaps when the matter was referred here to which the Hon Member is referring, it had not been insinuated or the burden had not been attempted to be thrown at the Gibraltar Government to make a decision and then the Gibraltar Government when that was indicated made it very clear that it was not for the Gibraltar Government to decide the alternative but the Gibraltar Government had the responsibility to make its own point of view and help, if necessary, in looking at viable alternatives.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Will Government state whether to their knowledge the Moroccan Government has in the past made any enquiries regarding the appointment of a Moroccan Consul for Gibraltar?

ANSWERTHE HON THE CHIEF MINISTER

Sir, according to Government records there have been no such enquiries at least in the last ten years.

SUPPLEMENTARY TO QUESTION NO. 266 OF 1982

HON A J HAYNES:

Mr Speaker, as a matter of interest, is it up to the Moroccan Government to ask for one or is it for us to suggest that they have one?

MR SPEAKER:

That is another matter, you have asked a question as to whether there have been any enquiries and you have been given the answer.

HON A J HAYNES:

Mr Speaker, will the Chief Minister state whether it is for the Moroccan Government to ask for a Consul to be appointed or whether it is for the Chief Minister to suggest that they appoint a Consul?

HON CHIEF MINISTER:

I can say without any hesitation that normally requests for Consular representation come from the country that want to send a Consul and we are getting into a sphere which is not our responsibility because it is a Foreign Affairs responsibility, but unless a particular territory thought that it was essential to have a Consul to look after the interests of particular minorities, thought it was very essential to initiate it, normally the request for Consular representation comes from those who seek to be accredited as Consuls to a territory outside their own sovereignty.

MR SPEAKER:

Next question.

NO. 267 OF 1982

ORAL

THE HON P J ISOLA

Sir, can Government state whether administrative arrangements have now been completed so that those entitled to British Citizenship may register for the same in Gibraltar and can Government make a statement as to the likely cost of the same?

ANSWERTHE HON THE CHIEF MINISTER

Sir, arrangements to implement the provisions of Section 5 of the British Nationality Act, 1981 are well under way, and will be finalised before the Act comes into effect on 1st January, 1983. A fee of £5 per application is to be charged to cover administrative costs and may I add that there will also be provisions in the Regulations to waive the charges in appropriate cases of people on supplementary benefits or who are not able to pay.

THE HON MAJOR R J PELIZA

Will the Chief Minister undertake to refrain from making statements such as the one he made to the Spanish press on independence which give rise to founded and unfounded speculations?

ANSWERTHE HON THE CHIEF MINISTER

Sir, statements made by people in public life often lead to speculation. I cannot give the Hon and Gallant Member any undertaking as to the kind of statements which I might find it necessary or desirable to make in the future. My position on the question of independence was fully set out in my letter to the Leader of the Opposition dated 12 August, 1982, copies of which were sent to the press.

SUPPLEMENTARY TO QUESTION NO. 268 OF 1982

HON MAJOR R J PELIZA:

May I ask the Chief Minister if in his letter instead of being more objective to the question asked by my Leader, Mr Isola, he did not become too personal and therefore destroyed any argument that he put there?

HON J BOSSANO:

Mr Speaker, could I ask the Hon and Learned Chief Minister whether in fact he has made any statements to the press which have gone beyond the statements that he has made in this House on this particular subject to the effect that if independence were acceptable or respected by both the United Kingdom and Spain he would be happy to sign on the dotted line tomorrow, did he say anything more than that?

HON CHIEF MINISTER:

No, much less in fact.

HON A J HAYNES:

Will the Chief Minister confirm that the letter being written on the glorious 12th was only 'grousing'?

HON CHIEF MINISTER:

The answer is no.

NO. 269 OF 1982

ORAL

THE HON MAJOR R J PELIZA

Will Government reconsider making further use of the Gibraltar Tourist Office in London to promote the international political truth about Gibraltar which is so often distorted to Gibraltar's disadvantage in many quarters and in the news media generally?

ANSWERTHE HON THE CHIEF MINISTER

No, Sir. As I have made clear on a previous occasion, I do not consider that it would be appropriate for the Tourist Office to become involved in political matters.

SUPPLEMENTARY TO QUESTION NO. 269 OF 1982

HON MAJOR R J PELIZA:

Couldn't we have within the Tourist Office an information section in the same way as the Government has it in Gibraltar to try and counter all unfounded news that come out from time to time and which I think is very damaging to Gibraltar in the United Kingdom?

HON CHIEF MINISTER:

We do use the Tourist Office to help us in disseminating a considerable amount of material when it is required but it is a far different proposition to put somebody there with political responsibilities to deal with matters connected with this nature than just to disseminate information and the matter raises very wide issues which I have endeavoured to explain to the Hon Member in previous questions and on which I have not changed my mind.

NO. 270 OF 1982

ORAL

THE HON J BOSSANO

Has the British Government confirmed that it no longer intends to proceed with the limitation on the opening hours of the Gibraltar airfield?

ANSWERTHE HON THE CHIEF MINISTER

No, Sir. The British Government (Ministry of Defence) have however said that the present hours will continue for the time being. Should any changes be proposed at a later date, the Gibraltar Government will seek to ensure that operations will be able to continue unaffected as far as possible.

SUPPLEMENTARY TO QUESTION NO. 270 OF 1982

HON J BOSSANO:

So in fact the report that appeared locally to the effect that the thing had now been dropped is not accurate?

HON CHIEF MINISTER:

Well, that is different, I do not know what report it is, people can speculate on it and certainly there has been no mention since it was done originally and certainly since the South Atlantic crisis no mention has been made of that being resuscitated and I would rather leave things as they are than ask questions that might bring awkward answers.

HON J BOSSANO:

So the situation really would be correctly described as the matter having been left in abeyance rather than a definite decision having been taken one way or the other?

HON CHIEF MINISTER:

It would appear that that is the case.

MR SPEAKER:

Next question.

NO. 271 OF 1982

ORAL

THE HON P J ISOLA

Sir, has the Government now been able to obtain further information with regard to the agreement made between GBC and Airtime International Limited in relation to advertising and particularly on the point of exclusivity and will Government make a statement?

ANSWERTHE HON THE CHIEF MINISTER

Sir, the latest information I have available is that the Board of GBC would have been able to meet fully the point made by the Chamber of Commerce about exclusivity - in other words that local traders should have had direct access to GBC for the purpose of placing advertisements.

The Chamber however raised further points first in relation to canvassing with principals either by GBC or Airtime International which would have debarred either party from making any approach whatsoever without the written agreement of a local agent; and, secondly, in relation to confidentiality with regard to expenditure on advertising. They further required GBC to enter into a formal agreement with the Chamber to cover these points as a pre-requisite to lifting their boycott. Despite categorical assurances given by GBC in consultation with Airtime International in both these respects the Chamber were still not satisfied and insisted on a form of words in their draft agreement which the Board of GBC were unable to accept.

In these circumstances GBC and Airtime International after further consultation have come to the conclusion that the present agreement should be rescinded with effect from the 30th September, 1982, and that in lieu thereof Airtime International should be recognised as a Sales Agent on a non-exclusive basis. The Chamber have been informed accordingly in the expectation that the existing boycott for which the Board of GBC feel that there is now no reason will be lifted.

I am informed however the indications are that the Chamber are still not satisfied.

SUPPLEMENTARY TO QUESTION NO. 271 OF 1982

HON P J ISOLA:

Sir, it appears that the industrial action take by the Chamber has been successful but would it not have been better for negotiations to have taken place at an early stage on a realistic basis with the mediation of the Industrial Relations Officer of the Government if necessary and this might well have resulted, would it not, in an agreement between all the parties concerned that was fair and also profitable and is it not a pity that nothing was done until Airtime International Limited have found that the agreement does not work in their favour as they had originally thought?

HON CHIEF MINISTER:

No, Sir, I cannot accept the last suggestion. The Board of GBC, from the information I have, have bent backwards to try and meet the Chamber of Commerce but the Chamber of Commerce perhaps having regard to the fact that they had initially won their point have tried to extract terms which I do not think any fair-minded and reasonable corporation could meet and I do hope and appeal to the Chamber because there have been plenty of efforts on both sides, appeal to the Chamber to try and come to terms because GBC now, whatever may have happened in the past, are not being anything but very reasonable.

HON P J ISOLA:

Sir, I have not spoken I must say to the Chamber since our last intervention at the last meeting of the House but could it possibly not be a case of once bitten twice shy and is the Chief Minister speaking merely from information given to him by GBC and has he heard the other side on these latest developments and if not would it not be a good idea to intervene or mediate or whatever word is appropriate to bring the parties together and save the taxpayer the considerable amount of money that I am sure this dispute is costing them?

HON CHIEF MINISTER:

The information I have given is based on correspondence supplied to me by GBC of both sides of the question, it has not been just reported to me but I have here the exchange of correspondence between the respective legal advisers and the proposed agreement prepared on behalf of the Chamber so the answer is that I have made my reply on the basis of what has happened and not based on what one party has said. I do hope that it will not be necessary for me to intervene because as I have said many times I am reluctant to do so and I am told that perhaps there might be developments in the course of the next few days but certainly if it is the desire of both parties that there should be intervention I shall be very happy to be of help.

MR SPEAKER:

Next question.

NO. 272 OF 1982

ORAL

THE HON P J ISOLA

Sir, will Government ascertain from GBC and inform the House whether there will be a need for a higher Government subsidy during the current year arising from the lack of commercial advertising on GBC and the amount this is likely to be?

ANSWERTHE HON THE CHIEF MINISTER

Sir, it is as yet too soon to say what the financial position of GBC at the end of the financial year will be. We know however that the adjustment of salaries because of parity will require supplementary provision shortly and that because Airtime International have met their obligations under their original agreement, the cash flow position of GBC is not as yet giving cause for concern. The Board of GBC however are keeping the position under close scrutiny and they will do everything possible to try and improve the Corporation's financial position.

The House will however appreciate that as a result of the rescission of the Airtime International agreement the Corporation will suffer a very substantial loss in guaranteed income.

SUPPLEMENTARY TO QUESTION NO. 272 OF 1982

HON P J ISOLA:

Will that be taken into account in any further public subsidy of GBC? Will the Government take into account the situation and the reasonableness throughout this unhappy period of the Board of GBC?

HON CHIEF MINISTER:

Certainly and of the attitude of the Chamber.

HON P J ISOLA:

Yes, but the Chamber, Sir, will not be paying for the subsidy, it will be the general taxpayer.

HON CHIEF MINISTER:

But we will be paying.

NO. 273 OF 1982

ORAL

THE HON P J ISOLA

Sir, can Government state whether any arrangements have been made with GBC for the broadcast of the proceedings of the House and if not will Government make arrangements so that at least parts of the proceedings of the House can be broadcast live?

ANSWERTHE HON THE CHIEF MINISTER

No, Sir. As the Hon Member is aware from previous correspondence exchanged between us, we agreed that I would ask him to come and discuss with me his proposals for the broadcasting of proceedings of the House. I regret that more pressing matters have hitherto prevented me from arranging a meeting for this purpose but I am prepared to meet the Hon Member next week at a time to be arranged to our mutual convenience.

SUPPLEMENTARY TO QUESTION NO. 273 OF 1982

HON P J ISOLA:

Mr Speaker, I am very glad to hear that because at the last meeting of the House the Hon and Learned Chief Minister did say he would arrange a meeting during July. I appreciate that there have been a lot of pressing matters but on the other hand would the Chief Minister not agree that it is important that the general public should hear first hand, if they wish, what is going on and the matters that are being discussed in this House and that it is very much a part of democracy that what happens in the parliament of a place is disseminated among the general public?

HON CHIEF MINISTER:

I thought he meant decimated but I do not disagree with this suggestion.

GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

Meeting of
8 December 1982
274 to 359

8.12.82

NO. 274 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government introduce an appointment system for the testing of commercial vehicles?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Sir, the Government intends to introduce an appointments system for the fitness testing of commercial vehicles as soon as the necessary legal amendment, which is currently being drafted, is enacted. This will provide for such testing of commercial vehicles to be carried out on a staggered basis throughout the year.

8.12.82

NO. 275 OF 1982

ORAL

THE HON J BOSSANO

Can Government state whether on current trends of Revenue and Expenditure it still estimates to have a Consolidated Fund Balance of £10,646,419 at the end of March, 1983?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the Estimated Consolidated Fund Balance as at 31 March, 1982, when the Estimates for 1982/83 were presented to the House in April this year was £10,646,419; the actual balance on closing the accounts was £11,390,320 an improvement of £743,901.

Based on the latest available information it is not inconceivable that there could be a deficit in the out-turn for 1982/83, mainly as a result of increases in expenditure. £0.7m in unforeseen expenditure has been or is presently before the House for appropriation. On balance, therefore, the Consolidated Fund Balance on 31 March, 1983, is not expected, at this stage, to show any significant variation from the projection in the Approved Estimates.

8.12.82

NO. 276 OF 1982

ORAL

THE HON J BOSSANO

Can Government state the receipts in respect of a) income tax, and b) indirect taxation in the first six months of the current financial year?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Sir, the net yields from income tax and indirect taxation during the first six months of this financial year are £9.483m and £3.082m, respectively, including £34,100 from the export tax.

NO. 277 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, why have the garages which were built as part of the Westside School not been allocated together with the corresponding flats as had originally been intended?

ANSWERTHE HON THE ATTORNEY-GENERAL

Sir, Government has seen it appropriate for the flats at Westside School to be earmarked for the exclusive use of teachers. This decision has affected the number of flats which Government, under an Agreement signed in 1973, makes available for allocation to officers, and the matter is being discussed with the Staff Side representatives.

With regard to the allocation of the garages, Government is of the opinion that preference should be given to the tenants of the flats. The allocation of the garages is, therefore, pending that of the flats.

SUPPLEMENTARY TO QUESTION NO. 277 OF 1982

HON J BOSSANO:

Mr Speaker, is it not a fact that one of the flats is in fact reserved for the resident caretaker and does that criteria not apply to that case?

HON ATTORNEY-GENERAL:

I should have made that clear that in general principle for the teachers, in fact, one is for the resident caretaker.

NO. 278 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government state whether or not the Police Reservists were informed, prior to being engaged, that their employment was conditional or temporary and will Government state the original terms and present position as regards the extra clerks and the extra Customs officials?

ANSWERTHE HON THE ATTORNEY-GENERAL

Yes, Sir. Applicants for Police Reservist vacancies were informed during the interviews by a Selection Board that successful candidates would be engaged on temporary and non-pensionable terms. These conditions of employment were included in their Letter of Appointment.

Customs Officers were treated in a similar manner as Police Reservists. However, the Customs Department was long overdue for a Staff Inspection. The Inspection is now in its final stages and Government decided to keep the extra staff pending implementation of the report.

The extra clerks were also taken on temporary terms, but have since been placed on permanent vacancies which have arisen since then.

SUPPLEMENTARY TO QUESTION NO. 278 OF 1982

HON A J HAYNES:

Will the Attorney-General confirm or deny that the Customs officials and the clerks have been retained because they have Unions to which they belong and the Police do not?

HON ATTORNEY-GENERAL:

No, I would not agree with that, Sir.

HON A J HAYNES:

Is the Attorney-General in a position to cite the letter in which the agreement was ratified as between the Reservists and the Police Force?

HON ATTORNEY-GENERAL:

I would be grateful, Sir, if the Hon and Learned Member would clarify what he means.

HON A J HAYNES:

As I understood it, Mr Speaker, the Attorney-General indicated that the Police both when they were interviewing applicants and at a later stage when they decided on whom they were going to take, they informed the Reservists, or the potential Reservists, that they would

be employed on a temporary basis and as I understand it the Attorney-General said, Mr Speaker, that apart from informing them at the time of the interview, they were also informed in a letter on their appointment. Is the Attorney-General in a position to cite from that letter?

HON ATTORNEY-GENERAL:

I have not got the letter here, Sir, perhaps the Hon and Learned Member is not quite clear as to what I mean. Once a person has been selected he gets a Letter of Appointment and those Letters of Appointment made it clear that the appointment was on a temporary basis. Can I perhaps add that under the Police Ordinance I think it is fairly clear that as distinct from other Police Officers, Reservists are a temporary type of appointment, a less integral type of employment.

HON A J HAYNES:

Will the Attorney-General say what this temporary or conditional employment was conditional on?

MR SPEAKER:

No, that is information which must have been included in the Letter of Appointment and it is a simple matter of information you can get from looking at the Letter of Appointment. It is fair to say that the Hon and Learned Attorney-General has said that when someone is appointed on a conditional basis, that on the Letter of Appointment he is given the conditions on which he is appointed. You are now asking for those conditions. My answer to you is you can have sight of the letter and its information which is easily available, it is as simple as that. We are not going to discuss the conditions of employment.

HON A J HAYNES:

Mr Speaker, I believe I do know the answer and I would like this confirmed by Government.

MR SPEAKER:

Well, what are you asking that is what I want to know?

HON A J HAYNES:

Mr Speaker, I am asking what the conditions were.

MR SPEAKER:

And I am telling you that that information is easily available.

HON A J HAYNES:

If I may rephrase it, Mr Speaker. Will the Attorney-General confirm or deny that the appointment of the Reservists was as car park attendants and as a result of Union intervention they will no longer be required as car park attendants?

HON ATTORNEY-GENERAL:

I do not think that is correct, Sir.

HON A J HAYNES:

Mr Speaker, what is the position?

HON ATTORNEY-GENERAL:

They were recruited as Reservists at the time of the prospective opening of the frontier and they were appointed on temporary terms. At one stage I think it may have been correct that it was contemplated to use them for car parking purposes but I do not think it is correct that that changed because of Union pressure.

HON A J HAYNES:

Mr Speaker, is the position going to change now that the frontier may open on Wednesday of next week?

HON ATTORNEY-GENERAL:

That is really a matter of Government policy, I think, Mr Speaker.

HON A J HAYNES:

Mr Speaker, the Reservists are anxious to know. Is there any indication from Government as to the terms and conditions under which they were employed being still standing or still being operative in the event of an open frontier, that is really what I would like to know?

HON ATTORNEY-GENERAL:

I cannot answer that at this stage, I think it is a matter of Government policy, Mr Speaker. After all the situation only arose, as far as I am aware, last night.

HON A J HAYNES:

Mr Speaker, I accept that it is a matter of Government policy but if we were aware of the conditions and terms we would be able to decide for ourselves whether on a fair interpretation one can read into those conditions the likelihood

MR SPEAKER:

We must not debate. We are prolonging this and I am not having it under any circumstances. The answer has been very clear. It is a matter of policy on which they have not yet taken a decision, that is what you have been told.

HON A J HAYNES:

Mr Speaker, but that confuses me insofar as I am informed that there were conditions and terms on their appointment and, surely, there must still

MR SPEAKER:

You have asked whether those conditions will still apply and whether they will still be employed for the same purposes that they were originally employed. You have been told that that is a matter of Government policy on which they have as yet not taken a decision. That is the position.

HON A J HAYNES:

Will the Attorney-General undertake to inform me as and when a policy decision is taken?

HON ATTORNEY-GENERAL:

I think I cannot give that undertaking, I think it is a matter for the Government. Mr Speaker, may I just clarify a point, however, I am sorry to prolong the matter, but I was asked whether there had been some pressure which led to the Police Reservists when they were initially recruited, being taken off what was planned for them and that was car parking attendant duties. I have just been reminded and it should have come to me at the time, that a major reason for them being taken on, in fact, very possibly the reason, was that we were asked to advise on what the proper range of functions the Police Reservists was and having looked at the Police Ordinance I came to the view that car parking duties were not properly duties for Police Reservists and I tendered that advice to the Government.

HON A J HAYNES:

Does that mean that the Police Reservists were employed on terms that could not be fulfilled by Government even if the frontier had been open?

MR SPEAKER:

It might well do but that does not arise.

HON A J HAYNES:

Surely, it is a matter for redress and grievance on the part of the Police Reservists?

MR SPEAKER:

Perhaps it is.

HON A J HAYNES:

Mr Speaker, will the Government look into this matter?

HON ATTORNEY-GENERAL:

I do not agree, Mr Speaker. The Police Reservists were appointed temporarily as Police Reservists. Government may have had one thing in mind but that does not limit the Government's options.

HON J BOSSANO:

Perhaps this may help to clear up things. Is it not the case, Mr Speaker, that the job on which the Police Reservists might or might not have been used does not in any way alter their terms and conditions of employment, that is their terms and conditions of employment as Police Reservists is laid down in the Police Ordinance and that is the terms on which they were employed? The use to which they could be put was a matter to which there was a Union objection on the basis that there was an indication that it was the intention to employ a Policeman on what was properly the work of an industrial worker, like the Union might object to a Policeman doing painting or doing anything else, but that has nothing to do with the terms and conditions of employment of the Reservists, is this not the accurate position?

HON ATTORNEY-GENERAL:

That may have been the background but as the Hon Member has lucidly pointed out that in fact what a Police Reservist can do does happen to be a matter of law.

MR SPEAKER:

Next question.

NO. 279 OF 1982

ORAL

THE HON A J HAYNES

Mr Speaker, will Government state how many houses are yet to be allocated to the Civil Service?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, by an Agreement signed in 1973, all quarters in the C1, C2 and B2 category were de-quarterised. In return Government agreed to make available 8% of all new flats built, up to a maximum of 151, for allocation to officers who had been eligible for these quarters. To date 96 flats have been made available leaving a total of 55 flats yet to be allocated.

SUPPLEMENTARY TO QUESTION NO. 279 OF 1982

HON A J HAYNES:

Mr Speaker, can the Attorney-General state whether the 50-odd houses yet to be allocated to the Civil Service are of three rooms, four rooms, etc?

HON ATTORNEY-GENERAL:

I cannot say how they are broken up, it is a quota available to be filled. I cannot tell you what they will consist of at any particular time but no doubt they will be allocated having regard at the need of each individual family.

HON A J HAYNES:

I am not sure I understand, Mr Speaker. Does that mean to say that 8% of whatever Government actually build is given to civil servants?

MR SPEAKER:

Up to 151 flats.

HON A J HAYNES:

It seems a very loose agreement. Mr Speaker, as I understand it if the maximum is 151, there are 55 yet to be completed. Is the Attorney-General telling us that 55 flats of any description will be handed to the Civil Service or 55 specific flats of which 10 are still to be built?

MR SPEAKER:

I think the Hon the Attorney-General has said that he has not got the details as to your supplementary.

HON A J HAYNES:

But there is a difference, Mr Speaker, as I understand it, between not having the details and those details not being in existence anywhere else. Are there any specifics hidden anywhere that one could find?

HON ATTORNEY-GENERAL:

I would have to enquire, Mr Speaker, but if I can make the point I was trying to make before clear. As I understand it this is a quota, a proportion of new houses, so in a sense it is a thing in principle or a thing in general terms in that allocations would be according to what is the appropriate need for the various people who are interested but I will enquire to see whether there is specific information.

HON A J HAYNES:

Mr Speaker, the other question is, when is it projected that the remaining 55 will be completed, in the year 2000 or are we talking about a new Government?

HON P J ISOLA:

Could I ask the Attorney-General, the Agreement of 1973 which gave civil servants 151 flats, how many quarters were de-quarterised, in other words, who got the best deal, if anybody?

HON ATTORNEY-GENERAL:

I am sorry, I would have to enquire into that point.

HON CHIEF MINISTER:

I think it is 151.

HON A J HAYNES:

Mr Speaker, all the premises which were de-quarterised as the Attorney-General concisely stated, are they all habitable or are these among the derelict houses that we have burdening our housing stock? Is there an answer, Mr Speaker, to that question, I can hear muttering across the floor?

HON ATTORNEY-GENERAL:

I believe they are inhabited.

HON A J HAYNES:

They are inhabited, what is the constitutional position, Mr Speaker?

MR SPEAKER:

No, I will not have that.

HON W T SCOTT:

Perhaps on a hypothetical case that might well have occurred. Out of the 96 quarters that have already been allocated to the Civil Service, on the assumption that a quarter obviously becomes a quarter and is allocated to a civil servant, on his retirement is that unit still used by Government as a quarter?

HON ATTORNEY-GENERAL:

I think it is still a Government quarter but I think on his retirement it is made up somewhere else.

HON W T SCOTT:

So, in fact, that number is therefore reduced by one and the numbers continuously increase so, effectively, what we are saying is that the quarters that civil servants or that have been given to civil servants are on the increase and at any one time in fact it is obviously far larger than the 96 that we are talking about?

HON ATTORNEY-GENERAL:

We are talking, as I understand it, about new quarters.

MR SPEAKER:

Next question.

8.12.82

NO. 280 OF 1982

ORAL

THE HON J BOSSANO

Can Government state when it will be able to commence negotiations with staff representatives on the implementation of pension rights for part-time employees?

ANSWER

THE HON THE ATTORNEY-GENERAL

The conditions under which part-time service should become pensionable have been finally decided and the Government is now in a position to make the details available to the staff representatives.

The Industrial Relations Officer will initiate discussions with the Staff Side during the course of next week.

NO. 281 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, can the Minister for Housing say how long it will be before Mr Albert Traverso will be allowed to move into the flat he has been allocated at Westside School?

ANSWERTHE HON THE ATTORNEY-GENERAL

Sir, the answer to this question is directly related to that of question No. 277. Because of the dispute there is at present regarding the allocation of the Westside School flats it has not been thought prudent to proceed with Mr Traverso's move to Westside.

The Government would have wished to have settled already this particular problem, for whom great sympathy is felt.

/ SUPPLEMENTARY TO QUESTION NO. 281 OF 1982

HON A T LODDO:

But, Mr Speaker, am I not correct in assuming that Mr Traverso has already been allocated the flat and that the reason why he has not been allowed to move is because the flat that he will be vacating is the subject of discussions between two Unions?

HON ATTORNEY-GENERAL:

I think the situation may have changed but the present position is no.

HON A T LODDO:

So, Mr Speaker, do I take it that Mr Traverso was actually allocated the flat and now he has been deprived of this flat? What is the position?

HON ATTORNEY-GENERAL:

There was a proposal to allocate him a flat but I believe the position is that he has not been allocated it at the moment.

MR SPEAKER:

The Hon and Learned Attorney-General has been asked what is the present position vis-a-vis the flat. If we get that perhaps you will clear everything.

HON P J ISOLA:

Mr Speaker, can I rise on a point of order, or a point of explanation or whatever. The question is clear, when will he be allowed to move into the flat he has been allocated at Westside School? I am surprised to hear the Attorney-General saying in a supplementary that it was just a proposal and not in the first answer to the question, he never said it has not been allocated, he referred to discussions.

MR SPEAKER:

Order. In fairness to the Hon Attorney-General the questioner may have misinformation. As far as the questioner is concerned his information is that it has been allocated and you have been given an answer to say that it was never allocated.

HON P J ISOLA:

But the answer was not that.

HON CHIEF MINISTER:

Mr Speaker, I think I could be of help in this because at the request of the Teachers' Association which is one of the Associations concerned with this, I saw them yesterday. The point is that before the dispute arose it was the intention, at the request of Mr Traverso for whom we have every sympathy and desire to help, it was intended that he would move from another flat to a flat at Westside School because that suited his particular family circumstances in his recent tragic loss and so on. Then the dispute arose so that there was no allocation as was intended. Then the dispute arose from the other Unions or SACC about the question of the allocations of the flats, whether they should come generally or whether it should be to the School and so on and the matter is the subject of dispute still. At the request of the Teachers' Association I saw them yesterday and without in any way dealing with the matter which is still the subject of discussion between SACC and the GTA and the IRO, I can assure Hon Members that I made my feelings very strong to them about the particular situation of Mr Traverso in the context of the whole problem.

HON A T LODDO:

I thank the Chief Minister for that explanation, Mr Speaker, but am I not right in saying that the flat in contention is not the one at Westside but the one that Mr Traverso would be vacating and that therefore there should be no problem in Mr Traverso being allowed to move and the discussions continuing ad infinitum if necessary on the flat that he will be vacating, why make this man suffer?

HON CHIEF MINISTER:

May I say that that was precisely what I put to the GTA yesterday in order to help the particular case and they took it away to think about it.

HON P J ISOLA:

But, Mr Speaker, if a flat is empty and somebody has been allocated that flat, what I cannot understand is, as my Hon Friend Mr Loddó has said, why Government who after all own the flats cannot say to him: "You move into that, that is not in dispute"?

HON A J CANEPA:

If Government were to say that and Mr Traverso were to move in and you were to find that the other Unions which are in dispute with the Teachers' Association over the matter were to black that flat and refuse to connect the electricity, the water and so on, it would serve Mr Traverso very little purpose.

HON A T LODDO:

But, Mr Speaker, the flat that Mr Traverso will be moving into is not in dispute, it is the one that he will be vacating.

HON A J CANEPA:

But nevertheless they would be blacking the one that he would be moving into.

HON CHIEF MINISTER:

And, in fact, there is already some element of blacking in respect of one flat which was agreed originally in respect of a teacher who was living in a school which required expansion, it was agreed that she should have one and we are having difficulties even to get the tenancy agreement signed.

HON P J ISOLA:

Is the Transport and General Workers Union involved in this as well?

HON CHIEF MINISTER:

There are other Unions in Gibraltar other than the Transport and General Workers Union.

HON P J ISOLA:

But I thought the blacking of services like connecting water and electricity is in the province of my Hon Friend's Union and not in any other Union.

HON CHIEF MINISTER:

The signing of contracts and so on is in the hands of the GGCA.

HON P J ISOLA:

The signing of contracts for what?

HON CHIEF MINISTER:

Of contracts, of tenancy agreements.

HON P J ISOLA:

What does that matter, Mr Speaker, if they let the man move in if they do not want to sign the contract, surely, the Government can write a letter?

HON CHIEF MINISTER:

That is what has happened, they have moved in but the blacking action on the part of the GGCA on behalf of SACC has meant that the person in possession have not been able to sign an agreement but I only give that as an indication of the other kind of blacking that could come if we were to force the issue without having come to an agreement or to a decision on the matter. We are trying to get the Unions together to try and solve the problem and I hope that it can be done, that is all I can say.

HON P J ISOLA:

Mr Speaker, what I cannot understand is why is Government forcing the issue if it allows the man to take up a flat he has been allocated and leave the other one empty?

HON CHIEF MINISTER:

There has been no allocation of that flat at all. It was intended, it looked reasonable, it looked natural, it looks convenient but by the time the matter was expressed the conflict arose and everything has stopped.

HON A T LODDO:

Mr Speaker, if there has been no allocation can somebody please explain to me why Mr Traverso was informed by Mr Mellor to get packed to move into the new flat?

MR SPEAKER:

Question time is for the purpose of information. I think you have had as much information and we are beginning to debate now.

HON CHIEF MINISTER:

I would like to answer the last question, Mr Speaker, I think it is only fair that I should answer the last question. Because it was intended and it was not anticipated that there was going to be a conflict and that is one of the hardships that he is suffering, that he is packed to move, we know all that but we have the difficulties.

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

Can Government state on what class Government personnel travel by air?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, all Government officers travelling on official business do so by the cheapest means available ie tourist class, though there may be occasions when circumstances demand that Club class travel is authorised.

Under the Passages concession previously enjoyed by Civil Servants, and coming to an end at the end of this year, officers in grades 1 and 2 only were entitled to travel first or Club class.

In future only officers whose contract of employment so stipulates will make use of Club class. This will only apply to officers recruited to grades 1 and 2.

8.12.82

NO. 283 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, when will the Select Committee on the Matrimonial Causes Ordinance be in a position to make a report to this House?

ANSWER

THE HON THE ATTORNEY-GENERAL

Sir, I will not give a firm date, but it is hoped to do so shortly.

NO. 284 OF 1982

ORAL

THE HON P J ISOLA

Sir, can Government make a statement as to the progress it has made with the British Government in order to resolve the issue of Crown Lands in Gibraltar?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the Gibraltar Government has submitted to the British Government a formal request for the re-negotiation of the arrangements that govern the holding of Crown Lands in Gibraltar for defence purposes and their disposal when surplus to defence requirements. The request relates to reclaimed land and to buildings that have a continuing value to the Gibraltar Government. It was discussed between UK and Gibraltar Government officials at meetings held in London in October and November. The matter is under discussion among the UK Ministries concerned and I am pleased to be able to inform the House that we can expect a paper outlining new ideas on this matter in the very near future. This question has, of course, an important bearing on Gibraltar's economic development and we have therefore been pursuing it as energetically as possible along with the question of Development Aid.

NO. 285 OF 1982

ORAL

THE HON W T SCOTT

Sir, has Government considered any plans to amend the law regarding the qualifications of jurors particularly as far as women are concerned?

ANSWERTHE HON THE ATTORNEY-GENERAL

No, Sir. The Government has not considered the matter. However, the Law Revision Committee has this matter under consideration.

SUPPLEMENTARY TO QUESTION NO. 285 OF 1982

HON W T SCOTT:

Mr Speaker, would the body that the Hon and Learned Attorney-General has mentioned treat this as a matter of some priority because I think women are, and rightly so, continuing to play an increasingly important part in our local community and I think that perhaps we should move into a direction where we can see them qualified to serve rather than on a voluntary basis as exists at present.

HON ATTORNEY-GENERAL:

Sir, the Law Revision Committee is a technical committee, it is not a policy committee and what the Law Revision Committee does has to be submitted for consideration as a matter of policy. The Law Revision Committee, as I say, is looking at it and I can in fact say that yesterday, and it has got nothing to do with the fact that the House was sitting today, but yesterday, in response to an enquiry I made some time ago, I got some documentation on women jurors from another jurisdiction and it is in the process of circulating it to the other members of the Law Revision Committee for their consideration.

HON W T SCOTT:

Did the Attorney-General say that they will be submitting some recommendations to Government for a statement of policy?

HON ATTORNEY-GENERAL:

Not necessarily, Sir. At the moment the matter is being considered at a technical level by the Law Revision Committee.

HON W T SCOTT:

So the Hon Attorney-General is saying, in fact, that it is not necessarily a matter for Government to decide?

HON ATTORNEY-GENERAL:

I am not saying that at all, Sir, I am saying that at the moment a Committee of lawyers is studying the matter, no more.

HON W T SCOTT:

If, indeed, this Committee does make recommendations to Government, is Government at liberty to say what their views are, generally, on this matter?

MR SPEAKER:

No, these are all hypothetical questions, with due respect. Next question.

NO. 286 OF 1982

ORAL

THE HON W T SCOTT

Sir, is Government now in a position to take appropriate legal action against the consultants originally appointed to the Sand Recovery Scheme on the East Side?

ANSWERTHE HON THE ATTORNEY-GENERAL

Sir, the Government will be in a position to make a statement on this matter shortly.

SUPPLEMENTARY TO QUESTION NO. 286 OF 1982

HON W T SCOTT:

By later is it later in the proceedings of this present meeting?

HON ATTORNEY-GENERAL:

I think that would be a little optimistic but shortly. It may prove to be the case but all I am saying is the Government expects to be able to make an announcement on this shortly.

HON W T SCOTT:

I continually ask questions of a similar nature, Mr Speaker, and I am continually being told by the Government, sometimes by the Hon and Learned Attorney-General and sometimes by the Minister for Public Works. It was only in October of this year that the Hon Minister for Public Works said, and I am quoting from Hansard on the legal action: "The meeting was held on the 2nd of September, I think it is not unfair to give them six or eight weeks but if by the end of this month" - meaning October - "we have no reply that is of any value to us, then I think we shall have to take absolute action".

HON ATTORNEY-GENERAL:

I think those words are qualified by "if we have" and then whatever the Hon Member said. The position is negotiations with the consultants have been going on, I am not in a position immediately to say what the outcome of those is but, as I say, the Government does expect it will be in a position to make a statement shortly.

HON W T SCOTT:

Mr Speaker, I have other questions on the sand and perhaps I might progress the questions a little bit further on but it seems to me, and I am trying not to make a statement, it seems to me a ridiculous situation where as time goes on no action is taken by Government and it is costing the public purse more and more money.

MR SPEAKER:

With due respect, you are making a statement. Will you please ask a simple question, will they please qualify "shortly" by stating within what period of time, that is all you are asking.

HON W T SCOTT:

Within what period of time does Government expect some legal action to be taken by them?

HON ATTORNEY-GENERAL:

I will answer the question directly if I may, I am not going away from it, but can I say that legal action happens to be one particular avenue of redress and I have said that the Government has been undertaking discussions with the consultants. If I were to give you a firm date I would be looking into the future.

MR SPEAKER:

I think the question is a fair one and one which can be answered. If legal proceedings are going to be taken can you tell us when these are going to be instituted, it is as simple as that.

HON ATTORNEY-GENERAL:

Legal proceedings are not being taken. I do expect to be able to give an answer on what the outcome of this matter is, I would think in a matter of two weeks.

HON G T RESTANO:

For the first time we have had a statement from the Hon and Learned Attorney-General that there might be other avenues.

MR SPEAKER:

But we are not going to discuss the other avenues, we are not going to discuss the without prejudice consultations that may take place between the parties for the purpose of coming to a settlement and not necessitating legal proceedings, that is all that the Attorney-General has said.

HON G T RESTANO:

This is the first time we have been told that there were other avenues. We have always been told that the avenue was the legal proceedings one, that that was the only redress the Government had at the end of the day, now we are being told that there are other avenues. Can perhaps the Attorney-General give us an explanation?

HON ATTORNEY-GENERAL:

Mr Speaker, I am sure the Hon Member understands the position. It is only necessary to issue actual legal proceedings if the matter cannot be resolved otherwise and I do not have the advantage of having the answer in front of me from the last House but from what the Hon Member read out what the Hon the Minister for Public Works said was that if it proved necessary legal action would be taken but I am sure the Hon Member must know what I mean.

HON A J HAYNES:

Can the Hon Attorney-General confirm or deny that the other avenue was highlighted by the Varyl Begg roofs settlement?

MR SPEAKER:

No, next question.

NO. 287 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government state the position as regards the publication of the index of the Laws of Gibraltar?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, the index is in the final stage of preparation; the current proof is with the printer.

SUPPLEMENTARY TO QUESTION NO. 287 OF 1982

HON A J HAYNES:

Mr Speaker, what will the index be called, the index for January, 1983, or for January, 1980?

HON ATTORNEY-GENERAL:

I think, Mr Speaker, I would like to say a bit more about it. I am aware that I hoped to be able to have the index produced earlier this year and told the Hon and Learned Member that. The index, I think he will find as I said before, is a bigger and better index. It really is almost at the stage of completion and if he will bear with us we will have it ready.

MR SPEAKER:

But you are being asked what periods will it encompass, I think that is what you are being asked.

HON ATTORNEY-GENERAL:

It will be for the year 1981, up to the beginning of this year.

HON A J HAYNES:

Mr Speaker, is it proposed to make it obsolete within a few months?

MR SPEAKER:

No, next question.

8.12.82

NO. 288 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government state the position as regards the revision of the Laws of Gibraltar and when do they expect them to be published?

ANSWER

THE HON THE ATTORNEY-GENERAL

Tenders for the printing have now been called for. The closing date for tenders is 29 December, 1982. The expected date of publication remains unchanged, ie 31 March, 1984.

NO. 289 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government state the position as regards the readings of the aural levels at King's Bastion Generating Station and the new Generating Station?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

The Environmental Health Department's sound level equipment is at present undergoing one of its periodic maintenance and recalibration servicings in the United Kingdom. It has not therefore been possible to undertake the noise level surveys at either of the two Generating Stations. The readings will be taken and the House informed as soon as the equipment is once more operational.

SUPPLEMENTARY TO QUESTION NO. 289 OF 1982

HON A J HAYNES:

Mr Speaker, going forward a few steps and imagining that they come back and are fixed and that they take readings and the readings are not favourable, will the Minister in those circumstances undertake any remedial measures in King's Bastion?

HON J B PEREZ:

I think, Mr Speaker, that is a hypothetical question. We will take the readings and then we will see.

HON A J HAYNES:

Mr Speaker, has the Minister any ideas and any information which he can give the House as regards inexpensive means of improving noise levels?

MR SPEAKER:

No, he has told you quite rightly that the soundings have not been able to be taken because the instruments are not available and he has told you that once the results are available the policy decision will be taken, until such time everything is hypothetical.

HON A J HAYNES:

Mr Speaker, my question has been coming and going for the last few months.

MR SPEAKER:

I commiserate, that is all I can say, but no more.

HON J B PEREZ:

Mr Speaker, in fairness he did ask a question in October and I did say that I would be taking the readings. However, the equipment had to be sent to the United Kingdom, it did not break down but it is part of the maintenance period and the guarantee but when the equipment arrives back which we expect to be very shortly, we will take the readings.

HON A J HAYNES:

And it won't be necessary for me to ask a question if the Minister undertakes to supply me with the information?

HON J B PEREZ:

I said I would.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Mr Speaker, will Government explain why it has been necessary to carry out an extensive fumigation exercise at the St Bernard's Hospital?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Mr Speaker, in recent weeks there had been complaints from patients, staff and visitors that cockroaches in considerable numbers had been seen in several Wards and Departments of the Hospital. After examination of the buildings it was clear that a disinfection programme for almost the entire Hospital was required.

SUPPLEMENTARY TO QUESTION NO. 290 OF 1982

HON G T RESTANO:

May I ask, when was the last time that such an exercise was carried out at the hospital?

HON J B PEREZ:

Mr Speaker, this is a continuing process which we have but, however, in order to fumigate a ward it involves the complete decanting of all the patients so what the department has been doing in the last year is periodically, say, on a monthly basis, we do apply other means of fumigation like using aerosols and insecticides but we have not done so in the last twelve months, we have not actually fumigated a complete ward but we have done the kitchen, that is done on a monthly basis, and other departments which in fact do not need a full decanting as a ward does. It is not something that is completely new, this has been an on-going thing.

HON G T RESTANO:

My question was, Mr Speaker, when was the last time that this sort of exercise was carried out?

HON J B PEREZ:

It is a continuing process.

MR SPEAKER:

It is a continuing process therefore it must have been done before, do you know the date?

HON J B PEREZ:

I know that the kitchen and other departments have been done, not wards, in the last twelve months but I can tell the House that in the last twelve months this has definitely not been done. I do not know exactly when the last time was when a ward was completely fumigated, I have not got the answer to that.

HON G T RESTANO:

Mr Speaker, would the Minister not confirm that if the state of infiltration by cockroaches has been to the extent that a fumigation exercise had to be carried out, the type of exercises that were carried out in the last twelve months could not have been very successful?

HON J B PEREZ:

No, what I am saying is, Mr Speaker, precisely what the Hon Member is saying, yes, during the last twelve months we were carrying out certain procedures which we found to be completely wrong, we had to do a complete fumigation exercise, that is what has been done, and it has not yet finished it will be finished within two weeks.

HON A J HAYNES:

Mr Speaker, could the Minister inform me what this implies? I can understand cockroaches being in the kitchen, Mr Speaker, but in the wards themselves?

HON J B PEREZ:

There are pipes and all sorts of things going up into the wards, heaters, boilers, water pipes.

MR SPEAKER:

Next question.

8.12.82

NO. 291 OF 1982

ORAL

THE HON G T RESTANO

Is Government satisfied that Duty Chemists possess adequate stocks of common drugs and medicines?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

Mr Speaker, the Government is not aware that stocks of common drugs and medicines are inadequate but would welcome any information to the contrary which the Hon Member might have.

SUPPLEMENTARY TO QUESTION NO. 291 OF 1982

HON G T RESTANO:

I will certainly be taking the Minister up on that.

NO. 292 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government indicate or display the names of "Knight's Court" and "St John's Court" on the said buildings?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, it has been the general practice to display names of buildings in housing estates only. Names are not always displayed on individual blocks of flats. Government has recently held meetings with tenants representatives of both these blocks as well as representatives of Penney House, and this subject has not been raised. If tenants feel that the display of names on these buildings is desirable Government will certainly consider the proposal sympathetically.

SUPPLEMENTARY TO QUESTION NO. 292 OF 1982

HON A T LODDO:

Mr Speaker, I have been approached by some of the tenants of these houses and asked whether I could ask this question. Apparently there is difficulty in differentiating between these two, they are very close together the names are quite similar and sometimes doctors, particularly doctors, find it difficult to find their way around. I think it would be a great help to the tenants if the names were displayed. I believe that with the exception of possibly Penney House, all the other blocks of flats in Gibraltar have their names.

HON M K FEATHERSTONE:

I would not agree with the last statement of the Hon Member. However, I will next time I meet the tenants association of these blocks put the suggestion to them, would they like the names, and as I have already said if they so desire it will be sympathetically considered.

HON P J ISOLA:

Isn't it desirable as a matter of policy for buildings to have their name of the building for people who visit the building, for visitors who are invited to the building? Does Government have to wait always for somebody to ask for something before it does it? It is an extraordinary situation, Mr Speaker.

HON M K FEATHERSTONE:

I think there are a number of areas both in the private sector and the Government sector where there are not specific names on the buildings. If it is considered as a general policy that everywhere in Gibraltar must have its name on so be it but up to the moment the situation seems to have worked reasonably well, this is the first time that we have had any, I won't call it a complaint, any notification of such necessity.

THE HON A J HAYNES

Sir, will Government state how many houses have been provided in the last 12 months giving a breakdown of their location and size ie 3 rooms, kitchen and bathroom, 4 rooms, kitchen and bathroom, and stating whether new or modernised and give the figures for the next 12 months?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Mr Speaker, Government has provided 151 units in the last 12 months out of which 122 were of new construction and 29 modernised.

The particulars are as follows:-

62 Bedsitters, 19 - 2RKB, 16 - 3RKB, 46 - 4RKB, 6 - 5RKB and 2 - 6RKB and are located in Tank Ramp, Flat Bastion Road, Lime Kiln Steps, St Jago's, St Joseph's, Rosia Steps Shelter, 14 Flat Bastion Road, 37A Devil's Tower Road, Danino's Ramp and Westside.

Apart from all housing projects submitted to ODA which are awaiting approval, a further 43 units will be made available.

SUPPLEMENTARY TO QUESTION NO. 293 OF 1982

HON A J HAYNES:

Mr Speaker, a further 43 units made available when? 43 of what type, Mr Speaker, new or modernised?

HON J B PEREZ:

It is new and old but I am afraid I have not got the exact details of how many 2 rooms, 3 rooms. New and modernised, both. It is the same fraction as the other figures that I gave you.

HON A J HAYNES:

Mr Speaker, that is what they have got planned for next year?

MR SPEAKER:

No, they are under construction and will become available.

HON J B PEREZ:

The question asked how many are we certain will be ready for occupation.

HON A J HAYNES:

Planned for occupation, 43.

HON J B PEREZ:

We have plans to build over 500 houses, Mr Speaker.

HON A J HAYNES:

May I make another comment on these figures, will the Minister confirm or deny

MR SPEAKER:

No comments please, questions.

HON A J HAYNES:

Will the Minister confirm or deny, I said. I know Mr Speaker does not like Members to comment.

MR SPEAKER:

Well, I wish you would remember more often.

HON A J HAYNES:

Mr Speaker, in answer to a similar question last year the figures we were given were 50 in total, can the Minister explain both the increase and comment on it?

HON J B PEREZ:

Mr Speaker, if he would refer me to which answer to which question of last year it would be helpful.

HON A J HAYNES:

Mr Speaker, will the Minister confirm or deny that when I asked in December of last year for figures of similar houses built over the last 12 months, on the question of new houses I was given the answer as 33 and when asked whether this was the average amount they said it was slightly lower than the average. Mr Speaker, if 33 is slightly lower than the average, is 151 a sort of one-off which is not going to be repeated or what?

HON J B PEREZ:

I am afraid I do not understand the question.

HON A J HAYNES:

Mr Speaker, the Minister has been talking about the Government's record of building 200 houses per annum. As I see it in the last 24 months, in the last two years, their average is 100 looking at it the most favourable way and if one looks over a three-year with what they have planned for next year as well, their average is down to about 75 per annum or less.

HON J B PEREZ:

Mr Speaker, the question asked how many houses have we built in the last 12 months and how many we hope to have ready in the next 12 months. I have given you all the details that I can.

MR SPEAKER:

The inference you draw from that, with respect to the questioner, perhaps may give rise to further questions but not to supplementaries.

HON A J HAYNES:

Mr Speaker, I am aware that the Minister has been saying that the record is of 200 being built per annum so where are the 200 that are being built per annum? I have asked for figures now for three years, where does one get the figure of 200 built per annum, it is just not there.

HON J B PEREZ:

I think the Member is referring to a letter which I wrote to him.

MR SPEAKER:

I think we shall go on to the next question.

8.12.82

NO. 294 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government state how many housing social cases are waiting to be processed and how many of the 48 approved social cases referred to in October 1982 have been accommodated?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

Mr Speaker, seven social cases are awaiting consideration by the Housing Advisory Committee and eight are still pending investigation by the Family Care Unit prior to submission to this Committee.

Ten cases have been allocated pre-war accommodation out of the 48 cases that were referred to in October 1982.

NO. 295 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government state the position as regards the implementation of Clause 1G of the Housing Pointage Scheme?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Mr Speaker, the implementation of Clause 1G is governed by the provisions contained in the Terms of Reference of the Housing Allocation Committee which provide inter alia:-

"To recommend the allocation to applicants under the Scheme of suitable accommodation according to their needs and requirements. However, should the Public Interest so demand, these recommendations may take the form of an allocation to one or more of the other family units forming part of the same household or of the provision of suitable alternative premises on an exchange or transfer basis for the household, or any other arrangement of this nature which, in the opinion of the Committee, adequately meets the situation".

No changes have been made to this particular term of reference.

SUPPLEMENTARY TO QUESTION NO. 295 OF 1982

HON A J HAYNES:

Mr Speaker, will the Minister confirm that there is a discretionary aspect in the provisions of Clause 1G and is it the Minister's personal view that Clause 1G should be dropped, and this is the basis of the question? As I understand it there is an indication that it is being dropped.

HON J B PEREZ:

No, Mr Speaker, I can confirm Clause 1G has not been dropped. This is why I said in answer to the question, the last part was: "No changes have been made to this particular term of reference".

HON A J CANEPA:

In other words, it has not been pinched from your manifesto.

HON A J HAYNES:

My concern, Mr Speaker, is that if the Minister is going to revise the pointage scheme in any way that we should be informed and will the Minister undertake to do so?

HON J B PEREZ:

No, Sir.

HON A J HAYNES:

And the other point, Mr Speaker, on Clause 1G, will the Minister confirm that through the implementation of Clause 1G circumstances can arise whereby a young recently married couple can be given a brand new house?

HON J B PEREZ:

If that would be the recommendation of the Committee, as the law stands today, I would not accept that recommendation.

NO. 296 OF 1982

ORAL

THE HON A J HAYNES

Will Government state the position as regards the transfer of authority for the allocation of housing to the relevant committees?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Mr Speaker, I have already consulted the Housing Allocation Committee on this matter, but discussions are still proceeding.

SUPPLEMENTARY TO QUESTION NO. 296 OF 1982

HON A J HAYNES:

What does that mean, Mr Speaker?

HON J B PEREZ:

What it means is that I have had various meetings with the Housing Allocation Committee and we are discussing the whole matter.

HON A J HAYNES:

What is it that they are discussing, Mr Speaker, what is the present position?

MR SPEAKER:

It is a simple question and you have got a simple answer which may be unsatisfactory. The transfer of authority has not taken place because discussions are still taking place, it is as simple as that.

HON A J HAYNES:

What is the present position of the discussions, Mr Speaker?

MR SPEAKER:

Do you wish to answer that?

HON J B PEREZ:

I am not trying to be awkward with the Hon Member, Mr Speaker, what I am saying is there are many aspects to consider in the transfer of authority and all these matters are being discussed, for example, whether the Committee will give interviews. We have not yet reached a final decision in which the Committee have told me: "Yes, to this, no to that, yes to that". We are still meeting.

HON A J HAYNES:

Will the Minister allow Members of the Opposition, more precisely myself, to sit in on a meeting of the Committee when they are considering allocations?

HON J B PEREZ:

I am prepared to answer that. That request was put to me by the Hon Member, I have put it to the Committee again and the Committee say no.

MR SPEAKER:

Next question.

NO. 297 OF 1982

ORAL

THE HON A J HAYNES

Will Government state the position as regards increasing the list of the highest housing applicants, and will Government give the pointage under the new assessment basis for the 1st, 5th, 10th, 15th, 20th and 25th applicant in the different categories?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Mr Speaker, Government has decided to publish the first 50 applicants in each category of the waiting list which would include the 1st, 5th, 10th, 15th, 20th and 25th applicant in the different categories.

SUPPLEMENTARY TO QUESTION NO. 297 OF 1982

HON A J HAYNES:

I am very glad they are going to do that, Mr Speaker, I think we have had a major victory on this side. Will the Minister confirm that, please? The point I wanted to make was

MR SPEAKER:

No, I am sorry, you are not going to make your point. Order. Are you asking a question?

HON A J HAYNES:

Yes, Mr Speaker, when will the lists be prepared?

HON J B PEREZ:

Publication of the list will be made on completion of the new assessment of all applicants. The Hon Member will recall that in the last House I announced the new pointage system for waiting time, when we complete that and also when we complete the Housing Survey which is to be put out to the general public.

HON P J ISOLA:

Having got over the administrative problems of publishing the first 50, because when this was first raised by the Opposition two years ago the Minister answered that it was an impossible exercise to perform, have there been new administrative arrangements or is it just the new Minister?

HON H J ZAMMITT:

I never said it was an impossible task, I said it was an expensive task.

HON J B PEREZ:

I am not saying it is an easy or a cheap task, all I am telling the House is that the Government has decided to publish the first 50 on each category.

THE HON G T RESTANO

Is the Minister for Municipal Services now in a position to inform the House whether discussions between Management and Staff on the future manning of the Waterport Power Station have now been completed?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

No, Mr Speaker, I am not in a position to tell the House that these discussions between Management and Staff have been completed.

What I can say is that the Steering Committee under the chairmanship of Mr Ray Edwards continues to meet and discussions are proceeding.

SUPPLEMENTARY TO QUESTION NO. 298 OF 1982

HON G T RESTANO:

Can the Minister say whether agreement has been reached on most of the points, or not?

HON DR R G VALARINO:

Mr Speaker, I certainly cannot say this, any statements I would make would obviously prejudice any negotiations that are taking place and I can only reiterate what I have said in the second part of the answer, that discussions are still proceeding.

HON G T RESTANO:

Has the Minister any idea of how long it will take before the negotiations are completed?

HON DR R G VALARINO:

Mr Speaker, this is a very difficult question to answer. The Government knows exactly what they want. How long negotiations are going to continue is really a matter of agreement between the respective bodies which is Government and the Union so it is virtually impossible for me at this stage to say when the negotiations are going to be completed.

HON G T RESTANO:

Can the Minister say whether agreement has been reached on 75% of the areas or 50% of the areas?

MR SPEAKER:

You are being asked whether Government can say whether there has been any partial agreement, that is all. Yes or no, it is as simple as that.

HON DR R G VALARINO:

We have made progress but what percentage of agreement has been reached or not, this is a matter of giving to and fro so this is an impossible question to answer.

HON P J ISOLA:

Sir, will the official opening of the Waterport Power Station have to await the completion of these discussions?

HON DR R G VALARINO:

The official opening of the Waterport Power Station can take place at a time decided by Government. It is certainly not necessary to await the end of the discussions though it is certainly desirable that the discussions have been terminated to a major degree.

HON P J ISOLA:

How can Government open a Power Station when the manning levels of the Power Station have not been agreed? How will it open, how will it function if the discussions have not been completed?

HON DR R G VALARINO:

Mr Speaker, with due respect to the Hon and Learned Leader of the Opposition, this is a separate and entirely different question of which no notice has been given and I feel it is outside the ambit of this particular question.

MR SPEAKER:

In fairness to the Hon and Learned Leader of the Opposition, it follows from the original question, in other words, what you are being asked since you have not agreed on the terms of reference for the manning of the Station is this going to delay the official opening and it does follow from the original question.

HON DR R G VALARINO:

Sir, if he wants to know when the new Power Station is going to be opened, it will be a matter of policy by Government when the time is right.

HON P J ISOLA:

I can understand that but what I am really asking is can it be opened without it being manned?

MR SPEAKER:

In fairness to the Minister I do not think that is a fair question. Can it be opened when the terms of manning have not been agreed upon?

HON P J ISOLA:

And how is it to be manned? As I understand the statement made by the Minister, in the Steering Committee they were having discussions as to how the Power Station was to be manned because apparently nothing had been done about it and the only question I am asking really is, can it be opened without these discussions being brought to a fruitful conclusion, I do not know for who but, anyway, to a fruitful conclusion?

HON DR R G VALARINO:

Mr Speaker, this is one of the aspects which the Steering Committee is consulting with the Union at the moment but I am afraid it is difficult to go very far on this question at this precise moment in time.

HON P J ISOLA:

Am I right then, Mr Speaker, I ask the Minister, in concluding that in practical terms until the Steering Committee has come to an agreement and all parties have come to an agreement, we cannot have the new Power Station officially opened, that is the reality, is it not?

HON DR R G VALARINO:

Mr Speaker, I would like to correct that. The opening of the new Power Station can take place any time, in fact, it can take place even though the Station has been running for some considerable time or period. The physical side of opening a Power Station really has

MR SPEAKER:

Let us not prolong the issue, you have been asked a simple question. Is there going to be an official opening for the Power Station and is this official opening being delayed as a result of the non-agreement of the manning, it is as simple as that, because otherwise we are going to go on and on.

HON DR R G VALARINO:

It is a fact that there has been delay in the official opening of the Power Station due to the conversations that are taking place.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Have the reliability periods for the two engines at the Waterport Power Station now been concluded?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, Sir, there appears to be some confusion generally as to what these reliability periods really are, and I therefore think that an introductory explanation is called for.

The reliability test is designed to give the Contractor an opportunity to prove to the Engineer and the client that the plant has been satisfactorily installed and commissioned before certification occurs. It also establishes the date when the warranty period commences, being the commencement date of a successful reliability run.

Contractually, each individual set and all its auxiliaries are required to operate under the working conditions of the station, within the limits of the output specified, without failure or interruption of any kind for a period of thirty days.

However, should any failure or interruption occur in any portion of the plant due to or arising from faulty design, materials or workmanship, or due to omission or incorrect erection but not otherwise, sufficient to prevent the full commercial use of the plant during the reliability period, then the period will be cancelled and a new reliability period of thirty days shall commence.

The two engines have each been running for periods which are well in excess of the thirty days, but there have been a number of interruptions which have been the cause of the recent supply failures.

I do not propose to go into details of the various causes, which fall outside the scope of this question. All I will say is that certification has not taken place as the causes are being categorised to qualify them for contractual purposes. This does not mean however, the certification may not be agreed with retrospective effect once the analysis of the causes has been completed.

SUPPLEMENTARY TO QUESTION NO. 299 OF 1982

HON G T RESTANO:

Mr Speaker, I take it then that Government is not yet satisfied that the engines have been installed in such a way as they can be taken over by the Government to produce electricity efficiently, is that correct?

HON DR R G VALARINO:

Mr Speaker, Sir, it is not that we are not satisfied, it is that we have got to adhere to the terms of the contract and we have got to make sure that when the contractual period falls due the machines are in such a state as we want them to be and until then the certification will not take place. The certification could well be done with retrospective effect, in fact, there is a meeting with the contractors next week when we are going to discuss this whole issue.

HON G T RESTANO:

Mr Speaker, the Minister has said that the reliability period is for 30 full running days and if there are any interruptions then the whole process starts afresh. Can he tell us how many days either of the sets have been running at the present moment?

MR SPEAKER:

You have been told that they have both been running for over 30 days.

HON G T RESTANO:

Yes, Mr Speaker, but I think the Minister did say that if there had been interruptions then the 30 day period begins again.

MR SPEAKER:

What you are asking is whether there have been interruptions which come within the definition of the reliability period.

HON G T RESTANO:

I think he has said that.

MR SPEAKER:

With due respect, the Minister has said that there had been interruptions but I do not think the Minister has explained the reasons for the interruptions and whether they come within the trial period, is that correct?

HON DR R G VALARINO:

That is right, Sir.

HON G T RESTANO:

What I am asking is for how long have they now been running and how long can we expect to wait until the reliability period, a full 30 days of working without interruption, can be expected?

HON DR R G VALARINO:

Well, Sir, I said initially that they had been running for about 30 days but that there had been a number of interruptions. It is pure conjecture on my part to answer the Hon Member's question because we are going to do another 30 days reliability period but something may crop up in the meantime and therefore we may have to start all over again and I think this is the question that the Hon Member asked.

HON G T RESTANO:

No, that was not the question. The question was, at the present moment in time for how long have they been running without interruption?

HON DR R G VALARINO:

I am sorry, I beg your pardon. I do not have those details to hand and if you want I will get those details and I will give them to you later on in the House.

HON J BOSSANO:

Mr Speaker, am I right in thinking that until the engines have been tested consecutively for 30 days, in fact, they would not be officially the Gibraltar Government's responsibility, is that the case?

HON DR R G VALARINO:

That is right, Sir, yes.

HON J BOSSANO:

Then, surely, in answer to the previous question, the question of the official opening of the Station is not being delayed because of discussions, surely, you cannot have the official opening until the plant becomes the Gibraltar Government's responsibility?

MR SPEAKER:

Next question.

8.12.82

NO. 300 OF 1982

ORAL

THE HON G T RESTANO

Will Government give the figures in units and value of electricity borrowed or lent between the Gibraltar Government and the Ministry of Defence during 1981 and the first three quarters of 1982 including cash transactions made during these period or which are outstanding?

ANSWER

THE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, the electricity imported from the Ministry of Defence during 1981 amounted to 392,757 kWH and 349,123 kWH during the first three quarters of 1982. The electricity exported by the Gibraltar Government during the same period were 175,622 kWH and 394,440 kWH respectively.

The cash transactions made amounted to payments to the Ministry of Defence totalling £19,509.96 for electricity supplied between 1st January, 1981, and 31st March, 1982. A balance of 75,739 kWH stood in favour of the Gibraltar Government as at 30th September, 1982.

THE HON G T RESTANO

Will Government state what further costs have been incurred to date, since the reply to question No. 30 of 1982, for the hire of the four skid-mounted and the trailer-mounted generators broken down into hire, maintenance, repairs, spares, dismantling and repatriation and furthermore will Government state for how many hours these sets have been used since their installation?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, the costs incurred from 1 April, 1982, to the 30 November, 1982, for the four skid-mounted generators are as follows:

Hire charges	£93,472.80
Repairs and maintenance	£ 4,267.00 (Estimated)
Spares	£ 545.68
Bank charges	£ 233.71

The costs incurred on the trailer-mounted generator which has now been returned to the United Kingdom are as follows:

Hire charges	£50,684.80
Repairs and maintenance	£ 1,066.88 (Estimated)
Spares	NIL
Dismantling	£ 1,957.00
Repatriation	£ 4,210.53
Bank charges	£ 127.72

Since their installation these sets have been run for a total of 10,469 hours.

SUPPLEMENTARY TO QUESTION NO. 301 OF 1982

HON G T RESTANO:

Mr Speaker, for how long does the Minister expect that the four skid-mounted generators will remain in Gibraltar?

HON DR R G VALARINO:

Mr Speaker, Sir, I had a preliminary meeting this morning which we are going to carry on throughout the week regarding the four skid generators at present in service and a decision will be taken within a very short time as to when we are going to dispose of these four temporary skid generators and I hope to be able to answer this question to the Hon Member's satisfaction in a fuller way at the next House.

HON G T RESTANO:

Would the Minister not agree now that the figure of £395,000 which was what the sets would have cost, whether that figure has now really been reached and the sets do not belong to the Government?

HON DR R G VALARINO:

Mr Speaker, Sir, as I said initially a very long time ago there are very different things. If the sets had been obtained by Government initially

MR SPEAKER:

No, we are not going to debate at question time. You have been asked a question which is clear, do you agree with the questioner as to whether if they had been bought you would have spent the same amount of money and you still would have the skid generators?

HON DR R G VALARINO:

Well, obviously, Sir, the answer is no for the reasons I gave about six months ago.

HON G T RESTANO:

Mr Speaker, when the question was first asked the total cost of the four skid generators was £292,000 at that time and now we have an extra £100,000 for the skid-mounted generators and that is £390,000-odd and the cost to have purchased would have been £395,000. Would the Minister not agree?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, may I assist the Hon Member in judging the various amounts. You cannot really look at it from the point of view of establishing whether an amount has been reached. If the skids had been bought outright we would have been paying the full amount on day one and that amount would have been obviously borrowed on a loan. If you are paying it through time, obviously if you discount that at the end of the day you pay less but the financial analysis showed that you needed to have the skids for about five years or more before it was really worth buying rather than hiring.

HON W T SCOTT:

Mr Speaker, the Hon Minister said that these five sets had been operating for a total of 10,469 hours, may I ask him if he has the information and if he doesn't that I can be circulated with it, how many kilowatt hours was generated in this time period?

HON DR R G VALARINO:

Mr Speaker, I am sorry I do not have a breakdown of the kilowatt hours. I can get it for you.

HON P J ISOLA:

Can I ask the Minister what considerations make it necessary to keep these skid generators another day in Gibraltar having regard to the fact that we have read in press announcements that the two engines at Waterport are already supplying the public? What is the need to keep these generators in Gibraltar a single day further, what are the factors that are influencing the decision?

HON DR R G VALARINO:

There is really only some minor factors and in fact this is what we are discussing this week. One is the fact that we are doing a top overhaul on No. 13 engine which we hope to finish at the beginning of next week but what we want to ensure is a continuous supply of electricity over the Christmas period and this is what we are going to discuss this week but we shall send the generators back to UK as soon as possible because, obviously, this is a save in money.

MR SPEAKER:

Next question.

THE HON. G T RESTANO

Will Government state what extra revenue has resulted from the metering of telephones during October and November?

ANSWERTHE HON. THE MINISTER FOR MUNICIPAL SERVICES

Sir, the metering of local calls has resulted in extra revenue to Government for the month of October of approximately £12,000.

The figure for November is not yet available.

SUPPLEMENTARY TO QUESTION NO. 302 OF 1982

HON G T RESTANO:

Mr Speaker, may I just ask, this is purely for local calls and does not include trunk calls, I understand, is that correct?

HON DR R G VALARINO:

Mr Speaker, Sir, yes, because the IDD trunk calls, the total amount was £96,000 of which £12,000 were due to local calls in fact it was just under £12,000 and £84,000 are due to IDD calls but on the whole there has been no increase, really, in international traffic or money accruing to Government during this month. The extra revenue is exclusively derived from local metering which is £12,000.

HON A J HAYNES:

Mr Speaker, is the Minister in a position to state whether or not the units consumed by way of local calls is, in his opinion, less or average for the month of October?

MR SPEAKER:

Taking into consideration what, it is the first month since the introduction of metering.

HON A J HAYNES:

Sir, I was thinking about prior to the introduction of metering.

MR SPEAKER:

There was no metering before and they have no way of comparing. Next question.

NO. 303 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, would Government consider installing a Public Telephone in the Public Markets?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, the installation of a Public telephone in the Public Markets has already been considered by the Department, but will have to await other more urgent and pressing needs, for which requests have already been received from the Medical Department.

SUPPLEMENTARY TO QUESTION NO. 303 OF 1982

HON A T LODDO:

Mr Speaker, can the Minister give any indication as to when the Public Markets would be in line for a public telephone?

HON DR R G VALARINO:

Mr Speaker, I am afraid I cannot do so but I promise the Hon Member that I shall do my utmost to make sure that there is a public telephone at the Public Markets as soon as I am able to put one there.

HON P J ISOLA:

Is priority being given to installing public telephones in Government departments, to the Public Markets?

HON DR R G VALARINO:

Priority is being given to certain areas, one of them being Government Secretariat but the main thing is things like the Hospital, the Health Centre where they are far more urgently needed and sometimes are a matter of great personal inconvenience to people and this is how we will tackle it. In fact, we obtained a priority list from the Director of Medical and Health Services and we are going down that priority list and we shall do everything we can to expedite the matter.

HON P J ISOLA:

Mr Speaker, I think one can understand giving priority to the Health Department, the Hospital, but I cannot understand why any other Government Department should have priority over the Public Markets and the convenience of the public. Will he reconsider the list of priorities in that line?

MR SPEAKER:

Well, that is a matter of policy. Next question.

NO. 304 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, how many teachers enrolled for the degree course, and how many have since dropped out?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Sir, after an initial response from over 50 teachers for the BA(Ed) Course now running in Gibraltar, a total of 42 teachers were actually registered with Hull University as part-time students and approved by the Senate. To date only four teachers have felt the need to withdraw from the course.

SUPPLEMENTARY TO QUESTION NO. 304 OF 1982

HON A T LODDO:

Mr Speaker, how many teachers does the Minister actually estimate will go the whole distance? Surely, there must be an expected wastage and I would like to know what would be the figure.

MR SPEAKER:

No, that is a hypothetical question which I do not think the Minister is required to answer. Next question.

NO. 305 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will the Minister for Education make a statement regarding the leaky roofs of the new Girls' Comprehensive at Westside?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Sir, there were some minor faults with the flashing, which allowed some small amount of water penetration. This has now been remedied by the Contractor following immediate reports from the PWD Clerk of Works, who is on site checking the snagging lists of all minor faults as they arise.

SUPPLEMENTARY TO QUESTION NO. 305 OF 1982

HON A T LODDO:

Mr Speaker, did these penetrations cause damage to other parts of the school and have these been remedied?

HON MAJOR F J DELLIPIANI:

I am not aware that they caused any damage.

MR SPEAKER:

Next question.

NO. 306 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will the Minister for Education state Government's views on the position of the non-teaching staff at the Dockyard Technical College once it is handed to local Government?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Sir, with the exception of just one post of Laboratory Technician, all the non-teaching staff at the Gibraltar and Dockyard Technical College are MOD(N) appointments. Discussions are already in progress, in consultation with the Trade Unions concerned, regarding the future position of these non-teaching staff following the proposed transfer of the College to the Gibraltar Government. Whilst there is no objection in principle to the transfer of these staff to Gibraltar Government the future position must be discussed with the Trade Unions concerned before agreement can be reached on individual appointments.

SUPPLEMENTARY TO QUESTION NO. 306 OF 1982

HON A T LODDO:

Mr Speaker, can I take it that in fact there is a provision for the direct transfer of one EO per year from the DOE, or whatever it is called, to Government service?

HON MAJOR F J DELLIPIANI:

I know nothing of that provision, Mr Speaker.

HON A T LODDO:

Mr Speaker, will the Minister find out whether this is the case?

HON MAJOR F J DELLIPIANI:

There is no such thing, Mr Speaker.

HON A T LODDO:

Well, the Minister did not know a minute ago and now he says there is no such thing. It is my information that there is provision for direct transfer of one EO directly into the Government service a year, there is provision for that, and if there is a case would the Minister take it up and find out?

HON MAJOR F J DELLIPIANI:

Ministers are not involved in this kind of work, Mr Speaker, I do not know anything about this, I have never heard of it.

HON A T LODDO:

Well, can the Minister find out?

HON MAJOR F J DELLIPIANI:

No, I will not find out because it has got nothing to do with me, Sir.

HON A T LODDO:

The Minister refuses to find out whether or not it is a fact that there is the possibility of one EO transferring directly to Government and this has already been agreed to with the Union?

MR SPEAKER:

Agreed to by whom? Let us not work on assumptions because it is not right to come to this House and throw things at Ministers which cannot be substantiated by the questioner. If you have a definite information then you say so.

HON A T LODDO:

Mr Speaker, I have definite information that there is provision for the transfer of one EO per year directly into the Gibraltar Government's service.

MR SPEAKER:

The Minister has answered that they have no information whatsoever or no knowledge of this fact and therefore that they cannot do anything about it, it is as simple as that. If you can give further information to the Minister then they will enquire, I am sure, but they have got to be told chapter and verse.

HON P J ISOLA:

Well, he has been told.

MR SPEAKER:

That is what I am asking you to do.

HON P J ISOLA:

My Hon Friend asked the Minister to enquire about the position and he has refused. The answer has been that he has refused to enquire because he has nothing to do with establishment.

MR SPEAKER:

With due respect to the Hon and Learned Leader of the Opposition, the Hon questioner has been asked whether he will give his source of information so that they can enquire.

HON A T LODDO:

Mr Speaker, if I may throw some light on this. This question has arisen because of the length of time the Minister has taken in answering correspondence which I am having with him and I tried to get the thing moving by bringing the question to the House. The Minister knows what I am trying to get at, I haven't just thrown it at him now, this has been going on since October. All I am asking is whether it is in fact true that an EO position can be transferred directly one a year and if that is the case there should be no difficulty with the transfer of this staff.

HON MAJOR F J DELLIPIANI:

Mr Speaker, I have never heard of any arrangement of one EO per year coming into Government and if he mentioned the private correspondence that we have had I answered to him almost immediately. The thing is he gave his address as the House of Assembly and there are problems in collecting the mail and he received it eight days later which was not my fault. He wrote to me again and I immediately wrote back to him and gave him the information that he required. There is only one reference that I know of of an Executive Officer post and that is one that exists now in the Dockyard Technical College, that is the only reference I know of an Executive Officer post in relation to any transfer to the Gibraltar Government. I do know of any arrangement on a yearly basis, this does not exist and it is not my concern.

MR SPEAKER:

Fair enough. Next question.

NO. 307 OF 1982

ORAL

THE HON J BOSSANO

Can Government state how many prospective students able to obtain a place in further education in UK were unable to obtain a Government grant by virtue of the criteria of the points system in the current academic year?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Mr Speaker, as any offer of a place in further and higher education establishments in the UK is made to the individual applicant concerned there is no information available within the Department of Education as to the number of local students who actually obtain places at Universities/Polytechnics or Colleges for the current academic year. As far as Government grants are concerned, a total of 53 applications were received for Mandatory Awards in order to undertake degree courses at Universities in the UK. Based on the criteria of the points system a total of 23 Mandatory Awards were granted with effect from September, 1982. In addition, out of 48 applications a total of 19 Non-Mandatory Awards were granted by Government with effect from September, 1982, for Teacher Training courses and a range of other technical and specialist courses of a non-degree nature.

SUPPLEMENTARY TO QUESTION NO. 307 OF 1982

HON J BOSSANO:

Mr Speaker, the Hon Member said that there had been 53 requests of which 23 had been granted, I think, have I got the figures right, in the first part of his answer?

HON MAJOR F J DELLIPIANI:

Yes, Mr Speaker.

HON J BOSSANO:

Does that mean, in fact, that the 30 people who were not given Mandatory Awards had been able to obtain places and they were asking for an award in order to take up the place they had obtained?

HON MAJOR F J DELLIPIANI:

No, Sir. The applications for Mandatory Awards are made even before the 'A' level results are received and some of them were quite frivolous, in fact, they had no chance of passing any 'A' levels.

HON J BOSSANO:

Does the Minister know how many people in fact were able to get sufficient 'A' levels to be offered a place but not sufficient to be offered a grant, does he know that?

HON MAJOR F J DELLIPIANI:

No, I do not.

MR SPEAKER:

In other words, what you are being asked is out of the applicants who were successful and who qualified for the mandatory scholarships were they all given the necessary grants or were some left out, is that correct?

HON J BOSSANO:

No, Mr Speaker, the ones who qualified for the mandatory scholarship obviously got it. What I am asking is of the people who were not frivolous that the Hon Member has mentioned, the ones who were actually successful in being offered the place in the UK that they had applied for and they did not get a mandatory grant, does he know how many of those there were?

HON MAJOR F J DELLIPIANI:

We do not know if they were offered a place, Mr Speaker. The two secondary schools complete confidential reports on all the students who apply for places in Universities/College through the Universities Central Council on admissions but the individuals concerned are then notified direct of the results of their application. All other applications outside the UCCA system for higher places in Polytechnics and most other Colleges of higher education are sent by the individuals concerned direct to the establishment in UK. These applications are not administered through the schools and any offer of places are notified to the individual applicants direct.

HON J BOSSANO:

Does he know how many of the people who did not get a grant were able to get two 'A' level passes and three 'O' levels, does he know that?

HON MAJOR F J DELLIPIANI:

No, I do not but I can find out.

HON J BOSSANO:

He does know, Mr Speaker, I take it that this is the minimum entrance requirement for further education in the United Kingdom?

HON MAJOR F J DELLIPIANI:

That is not so, I know of at least one entry this year where not even a pass in English Language was required, it just depends what College of further education, higher education Polytechnic you apply, they are desperate for applicants.

HON J BOSSANO:

I have said the minimum laid down in the United Kingdom is that, I think if the Hon Member reads the rules I think he would find that is right because if that is not the case then I do not see how he can consistently be telling me every year that he cannot afford to give grants without knowing what it costs because he does not know how many people would be entitled. How has he arrived at the answer that he has given me every year of saying that the major consideration is financial constraint of not being able to give grants on the same basis as in UK if he does not know how many people are being left out?

HON MAJOR F J DELLIPIANI:

Because we have a fund which is based on mandatory awards according to our regulations. We do not know because they are not processed by us. People write direct to Universities and places of further education and we do not control this.

HON J BOSSANO:

Mr Speaker, surely, if the Hon Member tells me that he cannot afford to bring the criteria for obtaining a grant in Gibraltar into line with the criteria in UK he must know what it would cost to do so and he can only know what it would cost to do so if he knows how many people meeting the criteria in UK are failing to meet the criteria in Gibraltar, there is no other way of doing it.

HON MAJOR F J DELLIPIANI:

Mr Speaker, I must make it quite clear that we do not actually know the criteria of all the Colleges in England and all the places of further education, they have different standards. I have just quoted him an instance where somebody was taken on a two-year course without an English Language 'O' level.

HON J BOSSANO:

That depends on what he is going to do.

HON MAJOR F J DELLIPIANI:

Exactly.

HON J BOSSANO:

This is totally irrelevant because the Hon Member must know that mandatory grants by local authorities in the United Kingdom are subject to the achievement of certain qualifications which are not

as high as the qualifications demanded by his Department in Gibraltar for mandatory grants in Gibraltar. Therefore, by comparing the UK mandatory grant standard which is the standard used as the minimum entrance requirement in the overwhelming majority of the institutions, the Hon Member if he has in his possession the school results should be able to subtract one from the other and come up with a figure.

MR SPEAKER:

What is the question?

HON J BOSSANO:

The question that I am asking is, how is it that he is able to tell me on successive years that the Government cannot afford to give a grant here on the same basis as a mandatory grant is given in UK if he does not know how many people are being deprived? How does he know what it costs? He must know what it costs if he knows he cannot afford it, Mr Speaker, so I am asking him how he is able to say one thing without being able to say the other?

HON MAJOR F J DELLIPIANI:

Mr Speaker, we have a Mandatory Awards System. I have no intention of changing that Mandatory Awards System to meet the requirements of Mr Bossano who is in the Opposition as to giving awards to anybody who can get a place in University or further education or higher education in a Polytechnic and is trying to lead me in that way and I am giving him what I usually say which is no. I do not care if I know the figures or I do not know the figures. Whilst I am Minister and I have the support of my colleagues, I will not change the Mandatory Awards Regulations and that is as far as I will go.

MR SPEAKER:

Let us not debate because I think you have been given a very explicit answer. You have not been given the reasons but you most certainly have been given a very explicit answer as to the policy decision.

HON J BOSSANO:

The Hon Member may have misunderstood the question. I do not want a grant for myself, Mr Speaker, I already possess two degrees which may not qualify me for being Minister of Education but I do assure the Hon Member that what I am asking him is in order to satisfy the people who are being deprived of the opportunity of studying in UK, what is the reason? If the reason is that he will not give it because I ask for it then that is fair enough, that is the answer that I have been given, I will have to find another way of sending people to persuade him, I will tell the people who want the grant to see him then, it won't come from me.

MR SPEAKER:

Next question.

NO. 308 OF 1982

ORAL

THE HON W T SCOTT

Sir, with respect to Question No. 210 of 1982, has Government received the recommendations of the Industrial Training Board and if so what are these?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

No, Sir. No recommendations have been received from the Industrial Training Board.

I understand that the Chairman of the Industrial Training Board feels that until there are indications of the pattern for the future economy of Gibraltar, especially as a result of the proposed closure of HM Dockyard, the Board is unable to make any recommendations.

NO. 309 OF 1982

ORAL

THE HON W T SCOTT

Sir, having regard to a Report recently published in the United Kingdom, will Government investigate the possible consequences of the introduction of an equal retirement age for men and women?

ANSWERTHE HON THE MINISTER FOR EDUCATION ANDLABOUR AND SOCIAL SECURITY

Sir, if the Hon Questioner is referring to a recent report by an all-party committee of the House of Commons, which was reported in the British press, I can only say that I expect to receive a copy shortly, and that it will be interesting to see to what extent its recommendations are accepted and/or implemented in the United Kingdom. We can then also look into the implications of adopting all or any of the recommendations here in Gibraltar.

SUPPLEMENTARY TO QUESTION NO. 309 OF 1982

HON W T SCOTT:

Can I ask the Minister, Mr Speaker, if on the receipt of this report he would be good enough to hand a copy to me if he receives two or perhaps send it to me and I can photocopy it?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I think I will probably get one copy and I will make it readily available to the Hon Member.

MR SPEAKER:

Next question.

NO. 310 OF 1982

ORAL

THE HON MAJOR R J PELIZA

Can Government state if a meeting of the Tourist Advisory Board has been held since the last House of Assembly meeting and, if so, if any recommendations emanated from the meeting?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

No, Sir. The last meeting was held on the 9 August, 1982.

SUPPLEMENTARY TO QUESTION NO. 310 OF 1982

HON MAJOR R J PELIZA:

Does not the Minister think it is a pity that here we have a forum where I think a lot of interest could be generated to improve tourism in Gibraltar and hasn't he got the leadership to try and get the members of this Board together and try and encourage them to make suggestions and so on to improve the very severely damaged tourism trade in Gibraltar?

HON H J ZAMMITT:

Mr Speaker, I have tried to keep my cool on this but I am again very surprised at the Hon and Gallant Major's lack of knowledge of what is happening in Gibraltar because if he knew what was happening he probably would not ask this supplementary. I think recent events have occurred where it has been in the interest of the Tourist Advisory Board not to hold meetings on account of something which is taking place in England this very day. I won't go into further details but I think he should know there are interested parties contained within the Tourist Advisory Board where since the end of last August, early September, I visited UK and interest was shown by another carrier to come to Gibraltar.

HON MAJOR R J PELIZA:

Mr Speaker, all I can say is that if there is some controversial issue and if that is so, isn't it better to try and get the parties concerned together rather than do nothing about it.

HON H J ZAMMITT:

Mr Speaker, no one intends to leave it for a fight outside, what I do not want to lose my head about is the fact that the Hon Member straight away accuses me of not having leadership. Well, I can assure the Hon Member that it is a consensus of the Tourist Advisory Board not to meet until after a decision is taken on the recent application taking place at this particular time.

MR SPEAKER:

Next question.

NO. 311 OF 1982

ORAL

THE HON MAJOR R J PELIZA

Can Government state what are the conditions under which the Company handling passengers and freight operate at the air terminal?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Sir, the Company handling passengers and freight at the Air Terminal has an agreement with the MOD to the effect that the Company have the sole right to handle and service all aircraft at the airfield and to handle all passengers and baggage beyond the check-in point within the Terminal building.

SUPPLEMENTARY TO QUESTION NO. 311 OF 1982

HON MAJOR R J PELIZA:

Am I right then in understanding that this is purely a condition laid or some contract with the MOD over which the Government of Gibraltar have no say even though the handling of the luggage is really done from the air terminal?

HON H J ZAMMITT:

Mr Speaker, the handling agreement is a contract between the tenderer, should I say, and the MOD, the Gibraltar Government is not involved within that contract at all. The liability of handling certainly for security areas on the tarmac is done by the MOD and I take the point of the Hon Member within the air terminal but as it happens to be the same operator the whole concept is enshrined within the same contract.

HON MAJOR R J PELIZA:

Don't you think that if this is a matter which obviously is going to affect the good running of the air terminal and the air terminal being a matter which is the concern of the Government, it is time that this contract was arranged between whoever might be the handler and the Gibraltar Government and also that this should be put to tender?

HON H J ZAMMITT:

Mr Speaker, I don't know about the tender procedure because I understand there has only been one party up to now interested in this venture. Individual airlines are entitled to handle their own affairs within the air terminal, they do not necessarily have to have a contract with MOD.

HON MAJOR R J PELIZA:

As I understand it there is a charge for handling to whoever may be operating the plane that is coming to Gibraltar. I do not know what the costs are and I do not know whether the Minister can give me what the costs are to the actual airline themselves but if he could I would like to hear it.

MR SPEAKER:

Let us not debate.

HON MAJOR R J PELIZA:

Can the Minister, Mr Speaker, tell me what are the charges to the planes coming in and does he not think that if it was a free-for-all of everybody wanting to handle their own plane it would be chaotic and perhaps even more costly for the plane coming in?

HON H J ZAMMITT:

I am afraid I do not understand the question, Mr Speaker, because if it is chaotic this is exactly why a particular operator handles and therefore it is not chaotic but as I said airlines are entitled once the luggage is off the tarmac, for the check-in points both ways, both accepting and issuing.

HON MAJOR R J PELIZA:

So what the Minister is suggesting is that anyone who operates an airline coming to Gibraltar can have its own people handling their own luggage and so on, is that what he is saying? Is that the situation?

HON H J ZAMMITT:

Yes, an airline coming to Gibraltar can handle its own luggage once it is off the tarmac but for security reasons MOD have a contract with a company to do the plane on the tarmac and for luggage and passengers from the plane off the tarmac up to the air terminal.

HON MAJOR R J PELIZA:

It is now clearer to me. So what the Minister is saying, in fact, is that there are two stages. The first stage is the actual bringing the luggage from the plane to the air terminal.

MR SPEAKER:

Let us not complicate the issue. The Ministry of Defence have a contract with the present operator on anything to do with the handling of luggage or the aircraft from outside the air terminal and within the tarmac and within the air terminal operators can do as they choose. It is as simple as that.

HON MAJOR R J PELIZA:

That is what I wanted to establish, Mr Speaker, I was not very sure what the Minister meant. If that is the situation it is obvious that whoever has got the contract

MR SPEAKER:

You must ask a question.

HON MAJOR R J PELIZA:

Mr Speaker, if in fact there is only one company which has a contract with the MOD to move the luggage from the plane to the air terminal, it is they who set what the cost is for handling that plane. Is the Minister satisfied that the charges being made by the company are reasonable or does he believe that it may be there is a situation where the whole matter could be looked into, that that should come under the Gibraltar Government and not the MOD and if that is so could he revise the whole situation and if necessary put that particular function to tender?

HON H J ZAMMITT:

I think there are about four questions asked within the contents of that, Mr Speaker.

MR SPEAKER:

No, there is only one. Is Government prepared to look into the position so that they can revise if they feel that there is reason for revision?

HON H J ZAMMITT:

Mr Speaker, I think Government is always prepared to consider anything which is feasible and for the benefit of tourists in particular.

HON MAJOR R J PELIZA:

Mr Speaker, is the Minister aware that certain airlines are saying that they are overcharged for the handling and this is really the point?

HON H J ZAMMITT:

I have not received a complaint from an airline stating that they are being overcharged in handling precisely because the company that is doing the handling is a subsidiary company of the two airlines that are operating to Gibraltar.

HON MAJOR R J PELIZA:

I would like to correct something.

MR SPEAKER:

No, with due respect, we are debating and I will not have that.
Next question.

NO. 312 OF 1982

ORAL

THE HON A J HAYNES

Will Government undertake to arrange, or cause to be arranged, emergency facilities to be implemented in the event of another "stranded" day-tourists episode?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

No, Sir. The Government (Tourist Office) will however provide a service as happened recently when a group of visitors were stranded in Gibraltar due to inclement weather. The Tourist Office staff are available to help book accommodation on their behalf, intercede with local agents and generally liaise with all parties concerned to ensure that as little hardship as possible is suffered by those stranded.

SUPPLEMENTARY TO QUESTION NO. 312 OF 1982

HON A J HAYNES:

Mr Speaker, is the Minister in a position to confirm or deny whether the Gibraltar Government had advertised hydrofoil services to Gibraltar in Tangier?

HON H J ZAMMITT:

Yes, we have, Mr Speaker.

HON A J HAYNES:

Mr Speaker, since that is the position, will Government therefore accept that they have some obligation towards the tourists whom they encouraged to come to Gibraltar?

HON H J ZAMMITT:

That is absolute rubbish, Mr Speaker, if the Hon Member can quote any Government that pays for any passengers stranded in their country on account of inclement weather then I would like to have the reference, Mr Speaker.

HON A J HAYNES:

Mr Speaker, that is not the answer to the question. Is the Government prepared to accept any form of responsibility?

MR SPEAKER:

The answer is no, you have been told that.

HON A J HAYNES:

Will the Minister confirm or deny that passengers, day trippers, from Morocco are not given any information regarding the potential risks which they run vis-a-vis the weather?

HON H J ZAMMITT:

Mr Speaker, why should Government have to provide that kind of information? Why doesn't the Hon Member ask the operator to provide that kind of information?

HON A J HAYNES:

Is Government aware whether any conditions are stipulated or not?

HON H J ZAMMITT:

No, Mr Speaker, no one stipulates conditions that the aircraft may not leave from Gatwick next Wednesday.

HON A J HAYNES:

Does the Minister propose to answer questions or not?

MR SPEAKER:

He is answering questions.

HON H J ZAMMITT:

I am saying no.

MR SPEAKER:

The answer is no.

HON A J HAYNES:

No, he is aware or, no, he is not aware?

MR SPEAKER:

He is not aware. You have asked whether he is aware and he has said no, he is not aware, it is as simple as that. I have no doubt in my mind as to what the Minister has answered. He is not aware of these conditions.

HON A J HAYNES:

Another question, Mr Speaker. Is the Minister aware that no one from the Tourist Office was at Waterport Wharf to inform the passengers of their problem?

HON H J ZAMMITT:

I am aware that no one from the Tourist Office was at Waterport, Mr Speaker, but there wasn't anybody from the Tourist Office in London at Gatwick when the Hon the Leader of the Opposition and myself found ourselves stranded there.

HON A J HAYNES:

Mr Speaker, I wish he would not harp on about the airline because the airlines, as he well knows, Mr Speaker

MR SPEAKER:

Order. You have been given a straight answer. It is not for Government to be at a particular place when any particular passenger is stranded, that is what you have been told.

HON A J HAYNES:

Mr Speaker, I asked him whether he was aware that there was no one from the Tourist Office at Waterport Wharf and he accepted that. Is he also aware, Mr Speaker, that the predicament of the stranded tourists was only brought to the attention of the Tourist Office as a result of the work of certain taxi drivers?

HON H J ZAMMITT:

I am aware that the taxi drivers interceded, Mr Speaker, what I think the Hon Member is not aware is that the whole thing took place immediately below us in the Gibraltar Tourist Office in the Piazza and the Tourist Office at once took the situation up.

MR SPEAKER:

I am not going to have any further questions on this particular episode in any manner or form.

HON A J HAYNES:

Mr Speaker, I was there and the Minister was on a jolly in London, I know exactly what happened.

HON H J ZAMMITT:

I was joined by the Leader of the Opposition and we were both stranded in Gatwick.

MR SPEAKER:

Next question.

NO. 313 OF 1982

ORAL

THE HON A J HAYNES

Will Government undertake to provide a Waiting Room for passengers at Waterport Wharf?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Mr Speaker, Government would have to look into the provision of adequate facilities with other interested parties in the longer term. Some facilities are now provided by the operators for their departing passengers.

SUPPLEMENTARY TO QUESTION NO. 313 OF 1982

HON A J HAYNES:

Is there going to be a Waiting Room or not, Mr Speaker?

HON H J ZAMMITT:

Mr Speaker, if we are able to get together with people who have premises at Waterport Wharf, operators that use them for other purposes, then there will be a Waiting Room.

HON A J HAYNES:

Mr Speaker, is there a specific area which they have outlined for use as a Waiting Room and what kind of priority are they going to give to the implementation of plans to build a Waiting Room?

HON H J ZAMMITT:

As I said in answer to the general question, Mr Speaker, some facilities are now provided by the operators for their departing passengers, there are Waiting Rooms.

MR SPEAKER:

Next question.

8.12.82

NO. 314 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government afford financial assistance to enable the next Subbuteo finals to be held in Gibraltar in 1983?

ANSWER

THE HON THE MINISTER FOR TOURISM AND SPORT

Mr Speaker, every year Government provides funds for the purpose of granting financial assistance to sporting bodies. Applications are considered by the Gibraltar Sports Committee under the Chairmanship of the Minister for Sport.

In past years financial assistance has been granted by Government to the Gibraltar Table Soccer Association (Subbuteo is the commercial name of the game). However, on 16 March, 1981, the Gibraltar Sports Committee was reconstituted to accommodate the wishes of the Gibraltar Sports Federation, whereby 7 out of the 10 members appointed to this Committee are nominated by the Federation. The Gibraltar Sports Committee has subsequently decided that Table Soccer does not rank as a sport and therefore is not eligible for financial assistance through this Committee.

Government is nevertheless prepared to look into the merits of the Gibraltar Table Soccer Association's request, and to consider whether it justifies the provision of special funds for this venture.

SUPPLEMENTARY TO QUESTION NO. 314 OF 1982

HON A T LODDO:

Mr Speaker, does not Government consider that Gibraltar having won the World Championship is certainly worthy of consideration as far as financial assistance is concerned, you cannot go much higher than that, it has put Gibraltar on the map and isn't the Government satisfied that this would be of benefit touristically to Gibraltar to enable them to make a financial contribution?

HON H J ZAMMITT:

This is precisely why, Mr Speaker, I have said that Government will consider. I assume that the Hon Member knows that there was a request from this Association for something like £5,000 and this is something which of course had to be balanced, the input against the output.

HON A T LODDO:

I did not know anything about these £5,000.

MR SPEAKER:

Next question.

NO. 315 OF 1982

ORAL

THE HON MAJOR R J PELIZA

Can Government state how many employees are engaged in hosing the thoroughfares of Gibraltar and if it is really necessary to have two men to operate each hose?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, twelve pairs of men are engaged in hosing thoroughfares.

It is necessary for two men to work each hose as one of the men operates the water valve and helps with the handling of the hoses, whilst the second man actually does the hosing.

These men are normally employed as sweepers and are only engaged on flushing duties during part of the afternoons.

SUPPLEMENTARY TO QUESTION NO. 315 OF 1982

HON MAJOR R J PELIZA:

In view of the fact that I think it has been stressed before that there is a need to water our streets more and the fact that I think anyone who sees the operation can see that one man is more than sufficient, couldn't the Government perhaps by using one man at a time double the amount of flushing? Isn't that productivity on the part of the Government?

HON M K FEATHERSTONE:

Sir, I invite the Hon Member to try and hose the streets himself, operate water valves and to take the consequences while he is turning the valve off of the hose lashing around probably breaking a window, soaking the people, etc.

HON MAJOR R J PELIZA:

I am prepared to undertake the test if the Minister will allow me.

THE HON MAJOR R J PELIZA

Can Government state if they intend ever to remove the ropes that are dangling on the east wall of the Tourist Office and clean up the facade of this side of the building, to which I have called the attention on various previous occasions?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, all fixing ropes and tarpaulins over the roof of the Tourist Office will be removed when work on the renewal of this roof is commenced in a few days time, now that the roofing tiles have been received from UK. The facade of the east side of the building was cleaned up and painted in March this year, having previously been painted in May, 1979. The location of this building is however, such that the walls are quickly soiled by the exhaust fumes from traffic travelling along Secretary's Lane.

Not as part of the question, Sir, but now that the traffic is going in the opposite direction perhaps the exhaust fumes will not be so bad.

SUPPLEMENTARY TO QUESTION NO. 316 OF 1982

HON MAJOR R J PELIZA:

Mr Speaker, with all due respect to the Minister it has nothing to do with the exhaust fumes, it is the state of those ropes, Mr Speaker, to which I have called the attention of this House on numerous occasions which anybody can do in five minutes and doesn't he think that someone in his department is neglecting his duty?

MR SPEAKER:

What is the question?

HON MAJOR R J PELIZA:

The question is, Mr Speaker, why is it that those ropes that have been dangling there and that facade which has been in a terrible state for months if not years the department has not put right a long time ago having the fact that I have called attention to that on numerous occasions and, in fact, as I have said before, on many occasions that they have done everything possible and blame the public for not cooperating when in fact it is his own department who is not cooperating.

MR SPEAKER:

Next question.

NO. 317 OF 1982

ORAL

THE HON MAJOR R J PELIZA

Can Government state if they intend to clean up the area at the bottom of Jumper's Bastion which has been a dumping ground for some months?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, as far as the south Jumper's Bastion is concerned this area has been taken over by a private concern, and the removal of rubbish is not the responsibility of the Government.

North Jumper's Bastion has also been leased to a number of firms, these firms are responsible for the removal and disposal of any rubbish which they produce.

The rest of the North Jumper's site is scheduled for a general clean up by the Cleansing Section in the near future.

SUPPLEMENTARY TO QUESTION NO. 317 OF 1982

HON MAJOR R J PELIZA:

Is the Minister aware that the place is supposed to be one of the amenity areas of Gibraltar for tourists and anybody going past that place and looking down is revolted by the sight of what he sees down there? Hasn't he got any foreman or someone who is supposed to be looking at these areas and making sure that action is taken that whoever may be the tenant of the area puts the place in a different state?

HON M K FEATHERSTONE:

I think advances have been made to the people who have their firms down there to keep the place neat and tidy.

HON MAJOR R J PELIZA:

Isn't there a way of enforcing it, if necessary cancelling the tenancy or whatever or even the Public Health taking action?

HON M K FEATHERSTONE:

I will pass your remarks to the relevant department.

MR SPEAKER:

Next question.

NO. 318 OF 1982

ORAL

THE HON G T RESTANO

Would the Government state a) why so many Crown Properties including Government Housing have not been painted exteriorly for the past fifteen years and b) what is its programme to repaint these buildings?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, financial constraints over the past few years have only permitted a limited number of Crown Properties, including Government Housing, to be painted. Next year's painting programme will depend on the funds that this House approves for the purpose.

SUPPLEMENTARY TO QUESTION NO. 318 OF 1982

HON G T RESTANO:

Mr Speaker, the Minister said financial constraints over the past few years but we are talking about fifteen years. For fifteen years over 200 Government houses have not been repainted and yet the law states that private landlords have to paint their buildings, their facades, can Government state why that same law does not apply to the Government?

HON M K FEATHERSTONE:

No, I cannot say why.

MR SPEAKER:

In fairness to the Minister he has given you a straight answer. You have asked a question and he has given you the answer.

HON G T RESTANO:

What is the programme for the next twelve months?

HON M K FEATHERSTONE:

If you are willing to give me all the money that I wish to ask for painting, then the programme will be a very extensive and very wide programme. If on the other hand there are restrictions on the amount of money that you are willing to give me, then the amount of painting will have to be restrained within certain limits.

HON G T RESTANO:

I do not think it is up to me when he says how much money I am prepared to give him. The Government brings forward its proposals and passes them by majority so what is the programme that it has at the moment for the next twelve months?

HON M K FEATHERSTONE:

Well, we could put a very wide painting programme and put up thruppence on the income tax and naturally the Opposition will vote for that thruppence in view that it is required to do painting.

HON G T RESTANO:

Mr Speaker, but surely that is what the second part of the question is asking for, what is the programme?

MR SPEAKER:

The second part of the question has been answered by the Minister saying that he does not know why Government is not bound to do what other people are required to do but that the reason why they are not doing it is because there are financial constraints, it is as simple as that.

HON G T RESTANO:

But I am asking is there a programme or is there not a programme for the next twelve months?

HON M K FEATHERSTONE:

Sir, I will try and produce as comprehensive a programme as I can but I must point out that there are financial constraints.

MR SPEAKER:

Next question.

NO. 319 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, how often is the sand in the sand pits in the different parks changed?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the sand in the sand pits in the different parks is replaced once a year. Nevertheless if it is found to be dirty we endeavour to have it changed more frequently.

SUPPLEMENTARY TO QUESTION NO. 319 OF 1982

HON A T LODDO:

Mr Speaker, is this sand, in fact, during that year treated in any way?

HON M K FEATHERSTONE:

I am afraid I do not know the answer to that question, Sir, I will look into it.

HON W T SCOTT:

Do the local Public Health Department inspect these pits every so often?

HON M K FEATHERSTONE:

Yes, I understand they do, Sir.

MR SPEAKER:

Next question.

THE HON A T LODDO

Mr Speaker, when does Government intend to reprovide the swings in the Alameda Gardens?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, one set of swings at the Alameda Gardens has been recently repaired, the other was removed as it was in a dangerous condition.

Funds will be included in the draft 1983/84 estimates for the complete renewal of one set of swings.

SUPPLEMENTARY TO QUESTION NO. 320 OF 1982

HON A T LODDO:

Mr Speaker, is the Minister telling me that the other set of swings will not be installed until well into next year?

HON M K FEATHERSTONE:

That is correct, Sir.

HON P J ISOLA:

What is the position with young children who go to the park, do they have to wait until next year to have a swing? Does it require estimates? The Government comes to this House for supplementary provision for everything, is the Minister telling us seriously that the recreation of the children will have to wait for 1983/84, is that what he is telling us?

HON M K FEATHERSTONE:

Sir, there is no queue of children waiting to go on the swings, we have one set of swings there, it can cope under normal circumstances with the demand for that form of recreation.

HON A T LODDO:

Mr Speaker, if it is going to take this long, could the Minister then ensure that half the swings in the top playground at least are moved down to the bottom park so that the children have swings in both parks, would that be too much to ask?

HON J B PEREZ:

I do not agree, I use the top one.

HON A T LODDO:

But would the Minister agree that perhaps it would be best to have two at the top and two at the bottom?

HON M K FEATHERSTONE:

I will look into that for you.

8.12.82

NO. 321 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, why has it been found necessary for additional works to be undertaken on the storm water drains at the Westside Girls' Comprehensive?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Sir, the old storm water drain running under the school site was extended to allow a temporary access to the site whilst the old PWD Garage was still in operation.

The heavy construction traffic appears to have caused some settlement on this reclaimed area causing the pipe to block. Attempts to clear the blockage by rodding and water jetting proved unsuccessful, and it has been necessary to open up the pipe.

8.12.82

NO. 322 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government provide fencing around the paddling pool at Varyl Begg Housing Estate to prevent dogs fouling the water?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

Mr Speaker, the Government is considering fencing the paddling pool at Varyl Begg Estate following representations made by some of the tenants.

8.12.82

NO. 323 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government ensure that the two empty shops in Main Street situated at No. 139/141 and No. 272 are boarded up so that they cease to be unofficial rubbish dumps?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

Mr Speaker, the shops in question are privately owned and there is no provision in law under which the owners of same can be required to provide boarding as a preventive measure to the dumping of refuse.

SUPPLEMENTARY TO QUESTION NO. 323 OF 1982

HON A T LODDO:

Mr Speaker, then perhaps these owners, would the Minister not agree, could be made to clean them out periodically. They are in an absolutely filthy state and a disgrace to Gibraltar and although I appreciate that there is nothing in the law, could not the Minister or the department concerned advise the owners of these premises under section bluff or section goodwill to, in fact, board these up? It would be to their advantage and to the benefit of everybody.

HON J B PEREZ:

That has already been done, Mr Speaker.

MR SPEAKER:

Next question.

NO. 324 OF 1982

ORAL

THE HON W T SCOTT

Sir, to what level is Government committed in guaranteeing the increasing overdraft facilities of the Gibraltar Quarry Company Limited?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government is in no way committed to act as guarantor to the Gibraltar Quarry Company Limited. It has, however, issued a guarantee to a maximum of £60,000.

SUPPLEMENTARY TO QUESTION NO. 324 OF 1982

HON W T SCOTT:

Mr Speaker, Sir, I wonder if the Hon Member is aware and if so can he state to the House because the last published accounts date back to over a year ago, November 1981, when the overdraft secured was £51,249 having jumped from almost £36,000 from the previous year. Is the Hon Member aware of what the bank overdraft for that company is in the last month or so if it has risen to beyond that figure?

HON M K FEATHERSTONE:

Sir, I am not sure if it is quite in order to ask questions on something which was actually laid at the table at this meeting. However, I do know that some time in the month of October the accounts of the Gibraltar Quarry Company were such that they had some £10,000 on deposit in the bank and some £5,000 in current account in the bank so at least in October there was no overdraft whatsoever.

HON P J ISOLA:

Mr Speaker, on how many occasions has the guarantee to the bank had to be upped?

HON M K FEATHERSTONE:

Once, Sir.

HON P J ISOLA:

From what to what?

HON M K FEATHERSTONE:

£40,000 to £60,000.

MR SPEAKER:

Next question.

NO. 325 OF 1982

ORAL

THE HON W T SCOTT

Sir, will Government make a comprehensive statement on the future of the Water Catchments?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government, through ODA, are in the process of appointing consultants to undertake a study of the Water Catchments area. The consultants are to provide a full report to cover the economic and structural viability of the following options:-

- (i) maintain the catchments in their present role, contrasting and comparing the present and future costs of this and water derived from other viable sources
- (ii) leave the use of the catchments, with recommendations as to any works which may be required to ensure the stability of the area.

SUPPLEMENTARY TO QUESTION NO. 325 OF 1982

HON W T SCOTT:

When is the appointment and the subsequent report expected by Government and in the interim period does Government intend to carry out any works to bring the sheeting and so forth back to its original state?

HON M K FEATHERSTONE:

The consultants report will take some four or five months to do and we should get it by possibly June next year. However, the damage that the storm caused the other week is already in the process of being made good so that the catchments will be back to a reasonable standard in a very short time.

HON A J HAYNES:

Mr Speaker, is it correct to say that the damage caused by the recent storm was compounded by the lack of maintenance generally on the water catchments?

HON M K FEATHERSTONE:

No, Sir, that is absolutely incorrect.

HON A J HAYNES:

Mr Speaker, will the Minister confirm or deny that in previous years and I go back to, say, the 1970's and 1960's, the work undertaken in the water catchments area during the summer months was far greater than it is at present?

HON M K FEATHERSTONE:

I would deny that, Sir. The work every year on the catchments run more or less to the same schedule.

HON A J HAYNES:

Mr Speaker, my information is that at a time prior to the departure of the Spanish workforce the work used to be considerable and ensured that a storm had to be very severe for any damage to take place.

HON M K FEATHERSTONE:

No, Sir, the amount of work done on the catchments every year has been maintained over the last ten years at approximately the same level irrespective of whether they are Spanish, Moroccan, Gibraltarian, English or what have you workers. The damage that was caused the other week was by the most severe storm that Gibraltar has experienced, I think, in at least 100 years.

NO. 326 OF 1982

ORAL

THE HON W T SCOTT

Sir, will Government confirm that during the recent rains there was further ingress of rainwater in some of the blocks at the Varyl Begg Estate giving the reasons why this occurred and what measures are being taken to prevent a reoccurrence and at whose cost?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, following the recent rains there was some rain penetration of a minor nature. In one instance a rain water pipe was found to be blocked. In another block a gutter joint was leaking. Both anomalies were immediately corrected by the contractor at no cost to Government.

Apart from these minor problems, the indications are that the new roofs are eminently satisfactory.

SUPPLEMENTARY TO QUESTION NO. 326 OF 1982

HON W T SCOTT:

Mr Speaker, Sir, am I not right in saying or correct in saying that some of the ingress of rainwater was caused because some of the gutters that extend underneath the new roofs overflowed?

HON M K FEATHERSTONE:

No, Sir, I do not think the gutter itself overflowed what happened was that the actual guttering itself had a leak in it.

HON W T SCOTT:

On how many instances and in how many blocks did this occur?

HON M K FEATHERSTONE:

In one instance there was a leaky gutter, in the other instance the actual downpipe was blocked, that is perhaps what you meant by it overflowing.

MR SPEAKER:

Next question.

NO. 327 OF 1982

ORAL

THE HON W T SCOTT

Sir, what services does the management company to the Gibraltar Quarry Company Limited provide and what action does Government propose taking having regard to the annual fee of £9,000 and that the two owners of the management company are employees of the Gibraltar Quarry Company Limited?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, this £9,000 annual fee is actually part of the Manager's salary. He has set himself up as a Company and requested that part of his salary (to the sum stated) should be paid to the Company. There was no reason to refuse the request.

SUPPLEMENTARY TO QUESTION NO. 327 OF 1982

HON W T SCOTT:

In the report which has been laid on the table, Mr Speaker, the Acting Principal Auditor makes reference to the need to employ a management company and that the services that this company provides are not clear and I am asking the Government what services does the management company provide having regard that the Acting Principal Auditor said he is himself not clear?

HON M K FEATHERSTONE:

Well, in actual fact the services provided by the management company are the actual work of the manager himself. I understand, however, that Government is not fully happy with this situation of a management company and steps are being taken to regularise the position and in the future the whole of the salary will be paid to the manager in his personal capacity, the management company will then disappear.

MR SPEAKER:

Next question.

NO. 328 OF 1982

ORAL

THE HON J BOSSANO

Is Government prepared to provide specialised training to the craftsmen responsible for the maintenance of equipment in the hospital?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the St Bernard's Hospital and the King George V Hospital have a fully qualified Maintenance Technician (PTO IV) full-time attached to the Medical Department, and he is fully backed by the resources, manpower and materials of the PWD Electrical Section.

At the beginning of this year two industrials, one an Electrical Fitter and the other an Electrician, both recent ex apprentices, were chosen from the personnel of the Electrical Section and attached to the Hospital under the Maintenance Technician in order to familiarise and train them on the various aspects of the equipment and installation.

It is envisaged that once these two industrials have absorbed this training fruitfully, they might be sent for specialised training in the United Kingdom.

NO. 329 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government state the position as regards communal antenna at the Varyl Begg Estate?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Additional equipment was installed in May this year at Canton House to permit reception throughout the Estate of GBC Vhf, TVE Vhf and Uhf and Morocco.

SUPPLEMENTARY TO QUESTION NO. 329 OF 1982

HON A J HAYNES:

Canton House being one of the estates.

MR SPEAKER:

To provide reception throughout the Estate.

HON A J HAYNES:

Who have the Government consulted on this point? Have they put the matter out to tender?

MR SPEAKER:

It has been installed.

HON A J HAYNES:

In one particular estate.

MR SPEAKER:

In one particular building to provide for the whole Estate, that is the answer.

HON M K FEATHERSTONE:

The actual antenna is located on the block known as Canton House. However, it serves the whole Estate.

HON A J HAYNES:

One antenna on one estate serves the entire Estate? Does that function properly at the moment?

HON M K FEATHERSTONE:

This was the way the consulting firm considered it was most satisfactory to do the work.

MR SPEAKER:

Next question.

NO. 330 OF 1982

ORAL

THE HON A J HAYNES

Sir, is Government satisfied that the quantity of steel used in the St Joseph's Estate project was not excessive and will Government give a breakdown of the cost of the steel used in the project?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, my Department did in fact query the amount of steel planned for the above project on the 16 September, 1980. A reply was received from the Consultants on the 5 November, 1980, setting out the reasons why such an amount of steel was required.

The Department was still not completely satisfied with the Consultant's explanations and arranged for a set of photographs to be taken in late November. A set was sent to the Consultants and a meeting took place in the offices of the PWD on the Consultants next visit to Gibraltar in December, together with on site visits and discussions as a result of which the Consultants prepared a detailed report on the 9 January, 1981, which justified the amount of steel to be used in the project.

The final account has still not been agreed for this project. Until such time as this is concluded we will not be in a position to give a breakdown of costs.

SUPPLEMENTARY TO QUESTION NO. 330 OF 1982

HON A J HAYNES:

Who provided the steel for this Estate?

HON M K FEATHERSTONE:

I do not know, I think it was a firm named Rom River Co but I am not exactly sure.

HON A J HAYNES:

Who were the Consultants, Mr Speaker?

HON M K FEATHERSTONE:

I would need notice of that question. I will undertake to let the Hon Member know should he so desire.

HON A J HAYNES:

Were Rom River the Consultants and the suppliers of the steel, Mr Speaker?

MR SPEAKER:

The Minister said he does not know because he does not know who the Consultants were and who the suppliers were. I think he is going to provide the information later on. Next question.

NO. 331 OF 1982

ORAL

THE HON A J HAYNES

Will Government publish a list of those Government buildings which have been reported by the Environmental Health Department as buildings which require to be repaired giving dates when repair requirements were first reported and the dates of subsequent reminders if any?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 331 OF 1982

HON A J HAYNES:

No, there haven't been any buildings or no they won't?

MR SPEAKER:

They will not publish a list.

HON A J HAYNES:

The high-handed Government hand, is that a fair explanation, Mr Speaker? Would Government go any way towards explaining their position on this?

HON M K FEATHERSTONE:

Not at the moment, Sir.

HON A J HAYNES:

Mr Speaker, do I understand then that not only will they not give me a list but they won't give any reasons for not publishing it, that is the position is it?

HON M K FEATHERSTONE:

Part of the reason is there is an enormous amount of work involved to do this.

HON A J HAYNES:

Is it part of the reason, Mr Speaker, that it is extremely embarrassing to Government just to reveal the list?

MR SPEAKER:

Next question.

THE HON A J HAYNES

Sir, will Government state whether or not the roofs at Varyl Begg Estate needed to be painted in a non-reflective paint for air safety reasons?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, there has never been a requirement, either before, during or after the re-roofing contract to paint the roof sheeting in non-reflective paint.

SUPPLEMENTARY TO QUESTION NO. 332 OF 1982

HON A J HAYNES:

Is that for not painting it in non-reflective paint or painted at all?

HON M K FEATHERSTONE:

As far as I understand they have not been painted at all but we have not had any applications from anybody that they should be painted in non-reflective paint.

HON A J HAYNES:

It seems from either the top or from the side, it appears to me, Mr Speaker, as if some of the roofs in the Estate have a different colour to the others. Is the Minister saying that they are all of the same finish?

MR SPEAKER:

In fairness to the Minister you have asked him whether there has been a requirement that they should be painted with non-reflective paint and the answer has been no. I do not think the Minister is entitled to be asked what colour the roofs are painted.

HON A J HAYNES:

I am not asking what colour, I am asking whether all the roofs and all parts of the roofs are finished in the same way.

MR SPEAKER:

I do not think the Minister is the person to answer a question like this, in other words, you can go and see for yourself.

HON A J HAYNES:

Well, I have and that is why I am asking. Mr Speaker, it strikes me as if they have been painted in part and I want to know whether that is true or not.

HON M K FEATHERSTONE:

Sir, if there is any difficulty when the Hon Member is landing his own private plane that he finds that the roofs are creating a lot of reflection I will look into it. As far as I know all the roofs have the same finish.

MR SPEAKER:

Next question.

NO. 333 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government make available their plans for refurbishing the Piazza and will they disclose details as to cost? It seems once again as if I have pre-empted Government, Mr Speaker.

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, an exhibition of Public Works Department's designed buildings recently completed is currently open to the public at the John Mackintosh Hall - as an aside I would say this exhibition was prepared over a month ago. The exhibition also includes buildings which are at the drawing board stage and proposals for the Piazza. The latter is intended as an exercise in public participation and Government will welcome comments from the public in general, be they individuals or groups or societies or even political parties. Final plans and costings will again be made public following the response received as a result of the exhibition. No political decision on the future of the Piazza is being taken now.

SUPPLEMENTARY TO QUESTION NO. 333 OF 1982

HON A J HAYNES:

Looking back at the Government's record and what they have done at the Piazza I should hope that they do look for public participation, Mr Speaker. On this point, Mr Speaker, is the announced model for the Piazza and John Mackintosh Square as a whole which is being made open to the public on Sunday, is that model taken from the plan devised by the same people who proposed things for the Command Education Centre?

HON M K FEATHERSTONE:

I am not quite sure what the Hon Member is referring to about the model which is going to be open on Sunday. As far as I understand there is no model of the Piazza at all, there are drawings of the future possibilities of how the Piazza will look.

HON A J HAYNES:

Plans or whatever, Mr Speaker, I thought they were models. If it is a plan we are talking about what I would like to know is whether the plan is going to be open to the public, whether these are the plans advised or indicated or suggested by that same group of consultants who came to look at the possibilities for the Command Education Centre or is it something entirely different and devised by others or is it a hotch-potch made up of various things?

HON M K FEATHERSTONE:

No, Sir, these are plans which have been prepared basically by a member of the Public Works Department who I know has taken the opportunity to speak to Messrs Atkinson Associates and possibly has got ideas from them.

HON A J HAYNES:

Mr Speaker, do any other plans exist for the Piazza and if so are they going to be shown at the same time? Is there going to be any scope for alternatives in this display which he is going to open to the public and is there also going to be any indications made available to the public of the different costs of the various alternatives?

HON M K FEATHERSTONE:

Whether any drawings exist in the architectural department of the Opposition I do not know. As far as I can say the only plans that the PWD have available are the only ones that are circulating in Gibraltar but if somebody has a private idea then as I have said, as a member of the public participation we shall be happy to look at them, consider them and once we have come to a reasonably good idea of what we want and what the public wants then costings will take place.

HON W T SCOTT:

Mr Speaker, is this project contained within the 1981/86 development programme?

HON M K FEATHERSTONE:

Yes, Sir, part of the requests that we have made to the ODA is for a whole pedestrianisation scheme in Main Street which will include the refurbishing of the Piazza.

MR SPEAKER:

Next question.

8.12.82

NO. 334 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, is it Government's intention to allow boats to park at the parking area opposite the Torpedo Camber, and if not, why has a boat been allowed to remain parked there?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Sir, it is not intended to allow boats to park opposite the Torpedo Camber in fact instructions were issued to remove the boat in question prior to notice of the question.

THE HON G T RESTANO

Would Government consider amending the law to allow consistent and persistent parking offenders to be fined heavier penalties than is now the case?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the fixed penalty for parking tickets is £2.

The maximum penalty for parking offences under the Traffic Ordinance was increased from £10 to £25 in 1972. As this maximum penalty is not often imposed by the courts, it is not considered necessary at the present time to amend the law.

SUPPLEMENTARY TO QUESTION NO. 335 OF 1982

HON G T RESTANO:

Mr Speaker, is it not a fact that because greater penalties than £2 are seldom meted out to offenders it virtually encourages offenders to park in no parking areas because they can afford to pay £2 and nothing worse happens to them? Would the Minister not consider taking measures so as to discourage people from parking in no parking areas?

HON M K FEATHERSTONE:

I do not know if the Hon Member saw me on television some little time ago but I did mention that one of the things that we were intending to look at in the reasonably near future are what are known as double yellow line areas and those areas which we feel are really areas where nobody should park at all will be looked at very strongly by the Police and anybody parking there will get a ticket immediately. Other areas which today are double line areas may not be so necessary and they will be removed from double line. I think there might be something in the Hon Member's suggestion that perhaps the fixed penalty of £2 might be increased and I am willing to look at it.

HON G T RESTANO:

I did say in the question, Mr Speaker, consistent and persistent offenders. I think that it is those people who obstruct continually who are those who should be discouraged, not necessarily, I would have thought, a fixed high penalty for parking on a double yellow line but if it is a repeated offence.

HON M K FEATHERSTONE:

Yes, I accept that viewpoint, the difficulty is administrative, how is the normal Policeman to know that it is number XYZ which is actually creating the parking offence on a regular basis unless they set up a whole administration in the Police Department to see that every time a ticket is passed it is co-related with previous tickets. I think possibly the better answer might be that the fixed penalty were to be increased because at the moment a number of people feel that if they are pressed for time or what have you it is often better to pay a £2 fine and dump it in a no-parking area.

HON G T RESTANO:

Mr Speaker, I would have thought though that perhaps this could have been monitored not by the Police, I entirely take the point of the Policeman on the beat will not know, but it could be monitored at the Magistrate's Court itself where payments have to be made and perhaps if instead of having a fixed penalty on the parking ticket it could be an if/or dependent on the number of times that a person has committed the offence.

HON M K FEATHERSTONE:

We are willing to look at that, Sir, and I will come back in due course.

MR SPEAKER:

Next question.

NO. 336 OF 1982

ORAL

THE HON W T SCOTT

Sir, does Government intend to continue the Modernisation Scheme at Road to the Lines after the existing Phase has been completed?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, all design and structural drawings have been completed for an additional 24 units. This project forms part of the ODA submission.

SUPPLEMENTARY TO QUESTION NO. 336 OF 1982

HON W T SCOTT:

Was this second phase not supposed to have been contained within the existing 1978/81 development programme?

HON A J CANEPA:

I would require notice I think of that, Mr Speaker, because I was not Minister for Economic Development at the time in question. I am really not sure.

HON W T SCOTT:

Perhaps I could be informed of that at a later stage by the Minister.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I may be able to assist. I think the reason why the phase was phased into two was that in the first place there were difficulties in decanting all the families from the estate to enable the contractor to get on site and the Government did not wish to see delay regarding costs and in fact in not getting the project off the ground at all so by slicing it it was much easier to get on with the first phase. In the event, the cost of the scheme itself proved to be much higher than estimated and therefore had the Government left the matter to a complete project it would have found itself not being able to proceed. In this way we managed to get something off the ground and provide housing at an earlier date.

HON W T SCOTT:

I am very grateful for that comment by the Acting Financial and Development Secretary but my point really is twofold, that the whole project was originally scheduled for the 1978/81 development programme insofar as modernisation is concerned and I obviously take the point that it had to be phased out for the problems of decanting people but the whole object of it is that there has been some slippage, substantial slippage.

HON A J CANEPA:

I do not know what he means by slippage. In any case we have had to provide more funds for housing, the money that was available for housing in the 1978/81 development programme in the event proved to be insufficient for the number of units that have actually been constructed as a result of that programme and for the cost involved and we have had to put plenty of our own Gibraltar money into it.

HON W T SCOTT:

On this side of the House we are very aware of it and we have been fighting a losing battle up to now, Mr Speaker, on modernisation as far as we see it because every time a scheme is refurbished or remodernised the costs seem to be going up and up and up and really no new housing is built.

HON A J CANEPA:

Mr Speaker, I think we are beginning to debate but the point that has to be borne in mind is that the earlier modernisation schemes such as the one at Flat Bastion Road involved much more straightforward access than, for instance, in Tank Ramp or Lime Kiln Steps or Castle Road/Road to the Lines but these are, I think, schemes that we have to go forward with if only from an urban improvement point of view.

MR SPEAKER:

Next question.

NO. 337 OF 1982

ORAL

THE HON A J HAYNES

Sir, is Government satisfied with the service provided to incoming yachts by the new Customs arrivals berth?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Yes, Sir. Since its inception on the 17th May, 1982, all yachts are now reporting at the arrivals berth, and are cleared simultaneously by the three Departments involved, namely Port, Police Immigration and Customs. Once cleared the yacht is free to berth at either Marina without requiring any further official clearance. Crew members and guests are therefore able to go ashore as soon as they are berthed at the Marina without having to await any further clearance from official departments.

SUPPLEMENTARY TO QUESTION NO. 337 OF 1982

HON A J HAYNES:

Mr Speaker, is the Minister in a position to confirm or deny that a large and, in fact, alarming number of yachts are indicating that they will not be returning to Gibraltar on the basis of the red tape and difficult customs procedure which exists in Gibraltar?

HON A J CANEPA:

I am not aware of that, Mr Speaker, I am not responsible for Customs, I am responsible for the Port side of the yacht reporting berth. If the Hon Member has any information he can make it available to the Financial and Development Secretary whom I am sure will pursue the matter because this is serious, this is an important matter.

HON A J HAYNES:

I take the point, Mr Speaker, as the Minister has stated, all the services are provided in one, regrettably, it is not able to comply with a sudden demand and that creates considerable problems that I am not sure the Minister is aware of and I shall inform him or the Financial and Development Secretary of the current problems.

MR SPEAKER:

Next question.

8.12.82

NO. 338 OF 1982

ORAL

THE HON G T RESTANO

Has Government made any progress with a view to amending the Merchant Shipping Ordinance so that ships registered in Gibraltar may be deemed to comply with manning requirements if officers of these ships are certified officers in EEC Countries?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, ships are registered in Gibraltar in compliance with the 1894 Merchant Shipping Act. In the reply to the Hon Member's original question, No. 101 of 1982, the Attorney-General stated that the whole structure of the Merchant Shipping Act was under review including the role of registry ports in dependent territories, such as Gibraltar.

Since then there has been further correspondence between the Captain of the Port and the UK Department of Trade on this matter. A meeting with officials from the Department has been arranged during the week commencing Monday 13th December, 1982, to be held here in Gibraltar.

At this stage, Sir, I would reply that although no actual progress has been made towards the desired objective the matter is very much in hand.

SUPPLEMENTARY TO QUESTION NO. 338 OF 1982

HON G T RESTANO:

I welcome that reply.

8.12.82

NO. 339 OF 1982

ORAL

THE HON MAJOR R J PELIZA

Can Government state if they could remove the tangled-up remnants of the wire fence that divides a stretch of the road leading to the commercial mole and the pockets used by tourists disembarking from cruise liners?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, financial provision for the necessary works to be carried out by the PWD has been included in the Port Department's draft estimates for 1983/84. The renewal of the fencing is envisaged from the new Generating Station to the "Flying Angel" Club.

8.12.82

NO. 340 OF 1982

ORAL

THE HON W T SCOTT

Sir, with regard to Question No. 260 of 1982 is Government now in a position to inform this House of the projects which do not require ODA funds?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

No, Sir. As I explained in answer to Question No. 260 of 1982, the Government has to await the final outcome of a reply to the aid submission before listing those projects which might not qualify for ODA funding. Moreover, the eligibility of individual projects will, inter alia, depend on the criteria applied by the ODA for project selection.

SUPPLEMENTARY TO QUESTION NO. 340 OF 1982

HON W T SCOTT:

Mr Speaker, Sir, does Government now have any indication as to when a reply will be received to the aid submission?

HON A. J. CANEPA:

I think it is a subject of a separate question, isn't it, Mr Speaker, which I think is down for the Hon the Chief Minister to answer.

MR SPEAKER:

I think it is. Next question.

NO. 341 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government disclose the amount of money which they are prepared to expend on a new prison or on the rehabilitation of the old prison, giving the different figures, if any, pursuant to a reduced ODA programme?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, I cannot at this stage say whether, and if so how much, the Government will be able to spend on a new or rehabilitated prison. This will depend not only on the measure of development aid but on the Government's own ability to fund development, particularly in the light of HMG's decision on the future of the Dockyard. The Government will consider expenditure on the prison in the context of its priorities which lie mainly on housing and on infrastructure.

SUPPLEMENTARY TO QUESTION NO. 341 OF 1982

HON A J HAYNES:

Mr Speaker, I do not need to be told where the priorities lie, Mr Speaker, but I need to be told if, as has been the case, in fact, will the Minister confirm or deny this, that in the event of ODA not being forthcoming the Government has alternative plans? I have asked specifically in another question what those alternative plans are and I was told nothing doing, now I have asked how much money those alternative plans are costed at and now I am told that they have no idea, where are we, Mr Speaker?

HON A J CANEPA:

I think I have covered the point in the answer, Mr Speaker.

HON A J HAYNES:

I do not think so, Mr Speaker. Will the Minister confirm or deny that in answer to a question based along these lines I was told that if the ODA was forthcoming they would be able to do a marvellous programme, if it was not forthcoming they would implement a more economic and conservative type of project. When asked what those plans were in a later question in another meeting of the House I was told they would not be given to me and now I am asking if they are not going to tell me what the plans are at least can I be told the money they are prepared to spend and I am told that they do not know, anyway.

HON A J CANEPA:

That is not the question that he has asked. He has asked, Mr Speaker, will the Government disclose the amount of money they are prepared to expend on a new prison and I am telling him that I am in no position to give any indication.

HON A J HAYNES:

Mr Speaker, will the Minister accept that the question also covers the figures in the event of reduced ODA?

HON A J CANEPA:

Mr Speaker, in the event of reduced ODA provision, and we would need to know not only how much money ODA are prepared to give us but as I said in answer to the earlier question, what are the criteria involved, then we will have to reconsider. If ODA, for instance, are not prepared to give us any money on housing we have to find it from Gibraltar's own resources and that is a much higher priority than the prison.

HON A J HAYNES:

I don't want a sermon on housing, Mr Speaker, I think we have told him about housing.

HON A J CANEPA:

Well, he is going to get a sermon on housing because that is his shadow and that is where he is attacking the Government all the time.

MR SPEAKER:

Next question.

THE HON P J ISOLA

Sir, will Government press the British Government to make a statement on the measure and extent of Development Aid it proposes for Gibraltar in the context of the Five Year Development Programme submitted by the Gibraltar Government to the British Government?

ANSWERTHE HON THE CHIEF MINISTER

Sir, I must make it clear that the Government has been pressing the British Government, on every possible occasion since early 1981, at both ministerial and official level, to come to an early and favourable conclusion on our submission for a new Development Programme.

This has been a matter of great concern to the Gibraltar Government for reasons which are obvious to all and I think the House should know the background to the efforts we have been making and the difficulties we have encountered because in fact Members opposite are also equally concerned.

The House will recall that, in late November 1981, a team of British Government officials visited Gibraltar for talks. This was the occasion on which the British Government's decision to close the Dockyard was announced. In these talks we raised the question of the Development Programme, which had been submitted as far back as February 1981, and were told that the ODA were not convinced that Gibraltar had a case for any aid at all in view of the apparently high standard of living here. We naturally and strongly contested this view and continued to press for urgent consideration of our submission on numerous subsequent occasions - including, in particular my meeting with Lord Carrington on 14 December, 1981, during Lord Belstead's visit to Gibraltar in July 1982, and at my meeting with Mr Pym on 24 September, 1982.

Throughout this period, while no final decision was taken, the difficulties as seen from London were explained to us. We were told, for instance, that the amount of money that might be made available as aid would have to be considered against the new situation brought about by the decision to close the Dockyard, a decision which itself could require the allocation of substantial funds to provide alternative means of supporting the economy. We were reminded of the very difficult economic circumstances in Britain itself and the cutting back of social and public services there - and indeed of the economic problems facing most countries in the world. We were told that British overseas aid expenditure had been cut substantially and that whatever aid might be given to Gibraltar would have to be at the expense of others whose need might be greater.

My own impression is that a breakthrough on this matter came as a result of my meeting with Mr Pym on 24 September. Be that as it may, the fact is that a more sympathetic attitude became apparent on the part of British Government officials at the talks held in London with Gibraltar Government officials in October and November of this year.

I was thus able to say at the various meetings I held with public bodies on 23 November that Gibraltar's request for development aid was being urgently and sympathetically considered and that an announcement could be expected soon, hopefully before the end of that month. While this did not prove possible, we have since been in contact with the FCO and have today been informed that an appreciable contribution to Gibraltar's Development Programme has been approved. We now await details and I will make these known as soon as I am in a position to do so.

NO. 343 OF 1982

ORAL

THE HON W T SCOTT

Sir, will Government make a statement on the latest position of the proposed East Side Reclamation Scheme?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the position is that the two schemes chosen out of the three outline proposals are still under detailed consideration.

As I have already explained to the Hon Questioner, a project of this nature requires a very close study of all the inter-related factors. These range from the technical, legal and environmental to the wider economic and social considerations. I regret that owing to the confidentiality of the proposals I am unable to disclose any further information at this stage. I can say, however, that both parties have been asked to provide certain information regarding the provision of infrastructure and their proposals for the necessary hydrographic studies. This information must be submitted before the 15 December and on receipt will be examined closely in relation to the criteria previously mentioned.

8.12.82

NO. 344 OF 1982

ORAL

THE HON W T SCOTT

Sir, will Government make a statement with regard to the land adjoining and to the east of the newly completed St Joseph's Housing Estate with particular reference to why this land was not earmarked as a possible St Joseph's Housing Phase 2?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the land to the east of St Joseph's Housing Estate is leased to New Laundry Ltd for a term of 28 years with effect from 1st September, 1974 for use as a laundry. To the south of these premises there is a small area of Crown Land measuring some 2000 sq ft which is incapable of separate development. The Company has submitted proposals for a residential development of their leased area which also envisages making use of the adjoining waste land. The application for this additional land is still under consideration.

The land could not therefore be incorporated in the Housing Scheme as the lease still has 20 years to run.

SUPPLEMENTARY TO QUESTION NO. 344 OF 1982

HON W T SCOTT:

Would the Minister therefore, in fact he has already said it, confirm or deny that there was either a new lease or a re-negotiation of the existing one in the last few years for the plot of land in question?

HON A J CANEPA:

No, what happened is that the lease has been recently executed, the lease has been I think granted to the company in question.

HON W T SCOTT:

And is it not a fact that a feasibility study, including drawings, was undertaken by the Public Works precisely on that project for a possible Phase 2?

HON A J CANEPA:

I do not know whether my colleague, the Hon Minister for Public Works, has some information on that. I have not seen any plans myself.

HON W T SCOTT:

I have been assured that working drawings were prepared particularly to take over that land to make it as a Phase 2 and enlarge that housing project perhaps to a publicly owned one rather than divide it into two?

HON A J CANEPA:

Mr Speaker, I do not deny that there are a number of "deep throats" within Government departments who are obviously providing better information to Hon Members opposite than what they provide to me.

HON W T SCOTT:

No, that is not the point that I am asking, Mr Speaker. What I am saying is that if the lease was negotiated for 20 years in 1974 and there was no chance at all of Government acquiring that land, why go to the expense of coming up with working drawings on that land which I am assured, not by one individual, by a number of individuals, that that exercise was undertaken?

HON A J CANEPA:

Mr Speaker, the lease was executed fairly recently, a few months ago. I am not aware in the time that I have been a Member of the Development and Planning Commission or in the time that I have been Minister for Economic Development, that there were any plans within the Public Works Department to have an additional phase of St Joseph's. If some architect or other in the Drawing Office has produced those plans I would only say that that has been without political direction.

MR SPEAKER:

Next question.

HON A J CANEPA:

Mr Speaker, if I may revert to, I forget what the question was, the one about St Joseph's. I have a note here from my colleague the Minister for Public Works who has been making enquiries on the point raised by the Hon Mr Scott. I am informed, Sir, that only a rough sketch plan was made, there were never any working drawings.

8.12.82

NO. 345 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, could the open area opposite Transport House, which has remained undeveloped for years, be made available as a temporary parking site?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the open area referred to is privately owned on a freehold basis, so that any suggestion of using it on a temporary basis is subject to the owner's consent.

In February this year, when considering proposals submitted by the owners for the development of the site, the Development and Planning Commission considered the possibility of using the site as a temporary car park in the interim period. The owners were therefore approached on the matter but I am afraid that this met with no response.

THE HON G T RESTANO

Is Government satisfied with the manner in which the Old Line Wall School building is being allowed to continue disused and does Government intend to take steps to remedy the situation?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the Government would wish that properties such as the one which the Hon Member is referring to were put to good use. The Old Line Wall School is however a freehold property and as with any private property in Gibraltar, is free from Government interference unless, of course, there is a breach of law.

SUPPLEMENTARY TO QUESTION NO. 346 OF 1982

HON G T RESTANO:

In this particular case, Mr Speaker, was the building sold to the owners because it was going to be a school?

HON A J CANEPA:

I know that the building is held by the Congregation of Christian Brothers, I know that it has in the past been used only as a school but I am not aware whether in the terms of the agreement of purchase of the property there was any restriction as to user, I am not aware of that, I do not honestly know.

MR SPEAKER:

Anyway, that is beyond the orbit of the question, we must not get involved in that.

HON G T RESTANO:

Well, that apart, has Government made any approaches to the landlords to see if this building could be put to some use even if it is not sold or whatever, but some use for the betterment of the community?

HON A J CANEPA:

I do not think that the Government has made any official enquiries. Whether unofficial enquiries have been made is another matter but I am not aware of the Government officially approaching the Congregation of Christian Brothers and asking them to put the building to use.

HON G T RESTANO:

Would the Minister not consider that it might be a good idea to do so and if he does would he undertake to do it himself?

HON CHIEF MINISTER:

Mr Speaker, may I disclose a professional interest and help the House with some information on that matter. The property is the property of the Congregation of Christian Brothers, it is a freehold property which when the Brothers left Gibraltar they intended to put out for sale. Unfortunately because of a caretaker who has extended the original part of the premises given to him has proved difficult to remove there has been delay in putting out the property for tender. I understand that a representative of the Order is likely to come to Gibraltar before the end of the year to make up their minds what they are going to do with the property.

HON G T RESTANO:

I would then ask, Mr Speaker, if after the representative's visit it is decided not to put the building up for sale, would the Government then approach the representative so that use could be made of the building in the interest of the community?

HON CHIEF MINISTER:

I seem to have been misunderstood. The proposal is to put it out for sale, there is no question of anything else because the Brothers have no use for it in Gibraltar. The only question is how to deal with the difficulty of an occupant who is not a tenant.

MR SPEAKER:

Next question.

NO. 347 OF 1982

ORAL

THE HON G T RESTANO

Is Government satisfied with the way that the Theatre Royal has been allowed to deteriorate to the extent that it has and does Government intend to take any steps to remedy the situation?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

No, Sir. The Government is not satisfied with the way that the Theatre Royal has been allowed to deteriorate. In fact the Government has already taken steps to remedy the situation by serving a notice under Section 23 of the Town Planning Ordinance. This requires the owners to repair, refurbish and redecorate the external facades of the premises as specified by the Development and Planning Commission. The said notice was served as far back as March 1980 but in spite of persistent pressure on the owners, the requirements have not yet been complied with. The matter has therefore been referred to the Law Officer's Department for instigation of the necessary Court proceedings under the Ordinance.

SUPPLEMENTARY TO QUESTION NO. 347 OF 1982

HON G. T RESTANO:

Is it the Government's intention that the Theatre Royal should be retained as a cultural centre?

HON A J CANEPA:

Well, put it this way, Mr Speaker, it is not for the Government to dictate what the use should be but we have received proposals earlier this year, in May 1982, in fact, from the owners proposing to develop the Theatre Royal as a theatre and cultural centre which would also permit them to hold bingo sessions, dancing and other cultural activities and in fact approval, in principle, has been given and we are awaiting a formal application from the owners.

MR SPEAKER:

Next question.

8.12.82

NO. 348 OF 1982

ORAL

THE HON G T RESTANO

To what use, other than in the short term for the registration for British Nationality, does Government intend to put the old Loreto Convent?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, it is proposed to convert the ex-Loreto High School Building for use as Government Office accommodation.

SUPPLEMENTARY TO QUESTION NO. 348 OF 1982

HON G T RESTANO:

Will this mean, Mr Speaker, that Government will give up other office accommodation which it is hiring at the moment?

HON A J CANEPA:

That is the strategy, Mr Speaker, it is aimed at releasing rented office accommodation and also relieving congestion in existing Government offices.

NO. 349 OF 1982

ORAL

THE HON MAJOR R J PELIZA

Can Government state what are the current landing charges at the airport and if they have received any indications of their being reviewed?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Sir, the landing charges at the airport are £1.60 per half metric tonne up to 3 metric tonnes and £3.18 per metric tonne or part metric tonne over 3 metric tonnes. Navigation service charges are also levied at £1.64 per half metric tonne up to 3 metric tonnes and £3.28 per metric tonne or part metric tonne over 3 metric tonnes.

In effect therefore depending on weight, a Boeing 737 would pay approximately £370 and a Viscount £192. These landing charges have been in effect since 1st June, 1981, and we have no indication at present that they are being reviewed.

SUPPLEMENTARY TO QUESTION NO. 349 OF 1982

HON MAJOR R J PELIZA:

I am very grateful to the Minister for such a clear answer. Could he say to what extent the cost of landing in Gibraltar compares with that of other nearby airports?

HON H J ZAMMITT:

Yes, Mr Speaker, we are slightly more expensive on landing charges. A 737 in Malaga would be £64.07, in Seville the same, £64.07, Lisbon £83.46, Faro £83.46, Tangier £67.23 during the day and £76.63 during the night.

MR SPEAKER:

Next question.

8.12.82

NO. 350 OF 1982

ORAL

THE HON MAJOR R J PELIZA

Have any decisions been taken on the operating hours of the airport and if so can the Government say what are the arrangements?

ANSWER

THE HON THE CHIEF MINISTER

No, Sir, but as I said in reply to Question No. 270 at the last meeting, the British Government (Ministry of Defence) have said that the present hours will continue for the time being.

NO. 351 OF 1982

ORAL

THE HON P J ISOLA

Sir, can Government state whether all problems have now been resolved between GBC, the Gibraltar Chamber of Commerce and Airtime International?

ANSWERTHE HON THE CHIEF MINISTER

The problems as between GBC and the Chamber of Commerce have been resolved. As far as Airtime International are concerned, GBC have formally revoked the agreement but the matter continues to be the subject of correspondence.

SUPPLEMENTARY TO QUESTION NO. 351 OF 1982

HON A J HAYNES:

Mr Speaker, has Airtime International sought legal advice and if so is the Chief Minister in a position to say whether or not they have gone to his Chambers for this legal advice?

HON CHIEF MINISTER:

I beg your pardon?

MR SPEAKER:

The Hon Member has asked whether Airtime have sought legal advice and whether they have gone to your Chambers for legal advice.

HON CHIEF MINISTER:

No, the answer to the second part is no but I was going to say that as the House is aware the Government took the view that this was essentially a matter for the Board of the Corporation to deal with subject to the question of exclusivity and the possible effects on the Corporation's finances. I am glad that the problem has now been substantially overcome.

HON A J HAYNES:

I cannot hear the Chief Minister, Mr Speaker, can he repeat the written part of his answer?

HON CHIEF MINISTER:

I said that as the House is aware the Government took the view that this was essentially a matter for the Board of the Corporation to deal with, the question of its relations with Airtime International, subject to the question of exclusivity and the possible effect on the Corporation's finances.

HON P J ISOLA:

Mr Speaker, as far as the Gibraltar Chamber of Commerce is concerned, have all problems been resolved?

HON CHIEF MINISTER:

Yes, it looks as if they have all been resolved.

HON A J HAYNES:

Mr Speaker, are there any problems now in the way for the House broadcasting to go ahead or not?

MR SPEAKER:

No, I am afraid I over-ruled that question and I am sad that you have had to ask it because it was an original question. I never disclose whether questions have been allowed or disallowed before they come to the House and a similar question to your supplementary which has nothing to do with the question you are asking is not in order.

HON CHIEF MINISTER:

I answered the second part of the Hon Member's question voluntarily though I resent the innuendo.

MR SPEAKER:

Next question.

NO. 352 OF 1982

ORAL

THE HON P J ISOLA

Sir, will Government ensure that those who wish to change their passport to a British Citizen Passport will be able to do so and that any period of time still unexpired in their existing passports will be credited to them against the fees payable for the new passport?

ANSWERTHE HON THE CHIEF MINISTER

All current passports whether issued in the United Kingdom or in Gibraltar will remain valid after 1 January, 1983. Therefore, persons who acquire British citizenship and who hold valid passports issued in Gibraltar will not be required to change their passports unless they themselves opt for a new passport with the appropriate endorsement under the new Act. In this context Government has no plans to credit unexpired time on existing passports against the fee payable for new passports.

SUPPLEMENTARY TO QUESTION NO. 352 OF 1982

HON P J ISOLA:

Does that mean that anybody who wishes to acquire a British Citizen Passport who may only just have obtained a Gibraltar Passport will have to pay the full fee for registration of £5 and in addition the full fee for a new passport? Does the Government consider that to be fair?

HON CHIEF MINISTER:

I do not know whether it will be necessary, it could well be that that passport which they have been recently issued can be endorsed adequately for the purposes of the British Citizenship and Nationality, the form itself is not going to change very much.

MR SPEAKER:

Next question.

NO. 353 OF 1982

ORAL

THE HON P J ISOLA

Sir, in view of the substantial amounts that the House is being asked to vote at the meeting commencing on December 8th, 1982, for the purposes of registration of persons as British Citizens, will Government make a full statement to the House on how it intends to process applications and as to what explanatory leaflets it proposes to make available to the public on the matter?

ANSWERTHE HON THE CHIEF MINISTER

Sir, a special unit is being set up in the ex-Loreto Convent building to deal with applications under Section 5 of the new Nationality Act. The Unit will become operational on the 4th January, 1983 and will be open to the public between the hours of 9 am to 12.45 pm. Application forms and guidance notes on how to apply will be available at the unit and at the Passport Office in Secretary's Lane. Completed application forms together with the fee and whatever supporting documentary evidence is required will be received and processed at the unit. The processing of applications will to a large extent be effected in Gibraltar but registration and the issue of certificates will take place in the United Kingdom. Successful applicants will be notified in writing and asked to call at the unit to collect their registration certificates when these are received from the United Kingdom. It is expected that in the majority of cases the registration process would take approximately four weeks. An explanatory leaflet on the new Nationality Act will be made available to the public. The leaflet will contain information on the Act in general and full details regarding registration under Section 5, passports, etc.

SUPPLEMENTARY TO QUESTION NO. 353 OF 1982

HON P J ISOLA:

Can the Chief Minister, Sir, say when these leaflets are going to be made available to the public, will it be before the end of this year?

HON CHIEF MINISTER:

No, when the unit opens on the 4th January.

HON MAJOR R J PELIZA:

Can the Chief Minister say if the leaflet will explain the legal implications for registering or not registering, in other words, how it will affect the status of the individual, what the legal position of the individual will be as a British Citizen and what it will be as a citizen of a dependent territory?

HON CHIEF MINISTER:

I do not know how far we can go in the leaflet as regards the statement of the law. I think perhaps the position may become clearer when I present the amendment to the Immigration Ordinance later on in these proceedings which is for First and Second Reading and perhaps arising out of that we may take some ideas of what ought to go in there or not. My statement on the Second Reading will make the position clear and it could be used for that.

HON MAJOR R J PELIZA:

I will pursue the matter later on.

MR SPEAKER:

Next question.

8.12.82

NO. 354 OF 1982

ORAL

THE HON P J ISOLA

Sir, are any regulations to be made in Gibraltar in relation to applications for UK Citizenship on January 1st, 1983, and if so can Government state why they have not yet been published or laid on the table of the House?

ANSWER

THE HON THE CHIEF MINISTER

Sir, the only legislation required to be enacted locally to enable registration as British Citizens under Section 5 of the British Nationality Act, 1981, to proceed is the amendment to the Second Schedule of the Licensing and Fees Ordinance. A motion to this effect is being introduced for the approval of the House at this meeting.

NO. 355 OF 1982

ORAL

THE HON J BOSSANO

In view of the Government commitment to provide financial assistance to the John Mackintosh Homes will Government consider the desirability of having negotiations under the auspices of the Industrial Relations Office with a view to bringing employees of the Homes closer into line with Government employees?

ANSWERTHE HON THE CHIEF MINISTER

No, Sir. The appropriate forum for negotiations on pay and conditions of service is between the employees and their employers, in this case the Board of Governors of the Homes. In the context of the Government subsidy to the John Mackintosh Homes, the Government is always prepared to consider representations from the Board of Governors.

SUPPLEMENTARY TO QUESTION NO. 355 OF 1982

HON J BOSSANO:

Mr Speaker, is the Chief Minister not aware that in fact the only argument that the employer in this case is able to put up is lack of finance and that consequently if there is a need to have recourse to Government the Government is de facto the employer because anything that is required by the employees is agreed by the employer subject to the Government being prepared to finance it and that it will be more consistent with the reality of the situation that the Government should be made aware of the negotiations by having those negotiations undertaken under the auspices of the Government's own negotiating machinery?

HON CHIEF MINISTER:

I appreciate that that would make sense from the point of view of the employees from the Union to which the Hon Member belongs or represents but unfortunately the legal position and the employer/employee position is one that the Government cannot accept as being different to what it is, it would bring very serious implications, but as I say the Government is always ready to consider and I do not know that I can accept what the Hon Member has said as being that they will say yes to everything if the Government gives them the money. I presume that they say yes if the claim is fair and if the claim is fair and representations are made to the Government in respect of any required subsidy I have said that if it is in conformity with others very much the same as it happens with the Gibraltar Broadcasting Corporation, that the Government is always ready to help. We cannot alter that relationship without a much bigger change and the Trust is the Trust of the Governors and the employees are the employees of the Governors and not of the Government.

MR SPEAKER:

Next question.

NO. 356 OF 1982

ORAL

THE HON J BOSSANO

Can Government confirm that it has been in possession of the A & P Appledore's International Limited proposals since May and if so why is it not yet in a position to know whether the proposals are viable or not?

ANSWERTHE HON THE CHIEF MINISTER

The answer to the first part of the question is yes.

The short answer to the second part of the question is that this is a very complex matter which has required - and continues to require - the most thorough and detailed investigation without which neither the British nor the Gibraltar Government could enter into a commitment. To expand on this, Sir, I would remind the House that all proposals for the possible commercialisation of HM Dockyard were received by the prescribed closing date of the 31 May, 1982. Since then, they have been evaluated by a team of consultants, who held discussions as necessary with the potential operators to clarify any outstanding issues. The British and Gibraltar Governments participated in these discussions where appropriate. The consultants concluded that given certain pre-requisites a commercially managed Dockyard could be viable. The Gibraltar Government for its part is not yet satisfied that this proposal would fill the gap, in its widest sense, left in the economy by the closure of the Naval Dockyard. It wishes to look further in detailed discussions with Appledore and other interested parties at the viability of the proposal itself as well as the broader implications for the stability of the economy in both the short and long term. The Government will also require to be satisfied on the provision of development aid and the release of land for the diversification of the economy.

SUPPLEMENTARY TO QUESTION NO. 356 OF 1982

HON J BOSSANO:

Separating for one moment the wider issues of whether it fills the gap and the question of land and aid and so on, is the Government saying that as regards the viability, that is, the profitability of the operation proposed by Appledore is concerned, it is not yet known whether this works or does not work, is that the case?

HON CHIEF MINISTER:

I do not want to allow the Hon Member to put words into my mouth. I will just repeat what I said before that we are not in a position at this stage to appreciate nor is the British Government as I shall say in a later question, the question of the money that is going to have to be put in is a very substantial amount and I am quite sure that the British Government itself wants to make sure that the money that has to be put in to make a commercial Dockyard is justified and for that they require more study and we require study with them. I think the simple answer is that we have not yet gone through all the processes that are required to be able to make a real concrete evaluation in the final analysis.

NO. 357 OF 1982

ORAL

THE HON J BOSSANO

Has Government been told that the intention of Her Majesty's Government is to close the Naval Dockyard in 1983 even if the proposals made by A & P Appledore International Limited do not prove acceptable?

ANSWERTHE HON THE CHIEF MINISTER

Sir, as the House is aware, Her Majesty's Government have stated on several occasions that the decision to close the Dockyard remains unchanged. That statement has not been linked specifically to the outcome of the current study of a possible commercially-operated ship-repair yard. Should the conclusion reached as a result of this study be negative, a new and very difficult situation would arise and the matter would of course become one for urgent consideration by the British and Gibraltar Governments.

I would remind the House that the British Government has on many occasions reiterated its commitment to support and sustain Gibraltar, the most relevant of these being the Defence White Paper of June 1981 which spoke of the British "Government's obligation to support the economy of Gibraltar if it is decided that the Dockyard work there cannot be kept up indefinitely". I have no doubt that this obligation will be honoured. I must, however, add that if the results of the current study were to prove negative, not for any technical, financial or commercial reason but for reasons which could be attributed to unreasonableness on the part of Gibraltar itself, this would no doubt be a factor which the British Government would take into account in determining its attitude to the new situation which would then have arisen.

SUPPLEMENTARY TO QUESTION NO. 357 OF 1982

HON J BOSSANO:

Would it be correct, Mr Speaker, to conclude from what the Chief Minister has said that the British Government will not be implementing any moves related to the Dockyard closure before a final decision has been taken on the acceptability or otherwise of Appledore's proposals?

HON CHIEF MINISTER:

I would put it the other way and that is the process that is required to make the project study requires certain decisions to be taken and attitudes to be known whilst the Dockyard is still open but that is a different matter to putting it the other way, I think the time-table of what is required is within the period whilst the Dockyard is open.

HON A J HAYNES:

Mr Speaker, will Government resign on the event of proposals for Appledore International not being acceptable?

HON CHIEF MINISTER:

I do not think I have to answer that question.

MR SPEAKER:

I do not think it arises from the question.

HON A J HAYNES:

Mr Speaker, the question states that in the event of the Dockyard closure going ahead in 1983 and the Appledore proposals not being acceptable, what will Government's position be and I am asking, is Government going to resign

MR SPEAKER:

With due respect, I still say that it is not relevant to the original question.

HON A J HAYNES:

Mr Speaker, the Chief Minister in his reply to a supplementary by the Hon Mr Bossano stated that the British Government might have to review the position in the event of all the ingredients for success being there except unreasonableness on the part of Gibraltar. Can the Chief Minister be more specific as to what kind of unreasonableness he anticipates or envisages might occur?

HON CHIEF MINISTER:

I did not say that, Mr Speaker, and I would refer to the latter part which was not in a supplementary it is in the substantial answer where I said: "I have no doubt that this obligation will be honoured. I must, however, add that if the results of the current study were to prove negative, not for any technical, financial or commercial reasons but for reasons which could be attributed to unreasonableness on the part of Gibraltar itself, this would no doubt be a factor which the British Government would take into account in determining its attitude to the new situation which would then have arisen". That reinforces what I have said throughout that without in any way committing ourselves to accepting the question of the commercial Dockyard we, for our part, must do everything possible to help the British Government to make the right assessment together with all other people who require to contribute to that.

HON A J HAYNES:

Will the Chief Minister be more specific and outline the kind of unreasonableness which is envisaged in the answer to that question?

HON CHIEF MINISTER:

Yes, Sir, the answer is no.

HON A J HAYNES:

Does that mean that the Chief Minister is not prepared to explain to the people of Gibraltar the problems which he envisages might occur with the event of the closure of the Dockyard, is that the kind of open Government that we have, Mr Speaker?

HON CHIEF MINISTER:

I do not think it is worth really getting up.

HON A J HAYNES:

It may not be in their interest, Mr Speaker. Will the Chief Minister make a statement as regards Trade Union approaches on the question of the Dockyard closure?

MR SPEAKER:

Order, that is not relevant.

HON A J HAYNES:

We on our side of the House have made our views known on this, we would like to know what the Chief Minister's views are.

MR SPEAKER:

I am telling you that this is not the proper time to ask this question.

HON A J HAYNES:

Mr Speaker, can I re-phrase the question?

HON CHIEF MINISTER:

He can re-phrase it twenty times and I will not answer, that is my privilege.

NO. 358 OF 1982

ORAL

THE HON P J ISOLA

Sir, in view of the fact that detailed discussions are shortly to take place with A & P Appledore International Limited in relation to the possible commercialisation of the Dockyard, will Government make a statement as to how it envisages that these discussions will develop and at what stage it expects to make final decisions on the matter and the nature and extent of the consultations that are now expected to take place?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Sir, detailed discussions are expected to commence shortly between officials of both the British and Gibraltar Governments and the preferred operator A & P Appledore International Limited. Other interested parties will also be invited to participate as and when necessary. It is envisaged that these discussions will take some four to six months. Meetings are expected to take place in Gibraltar or London on a monthly basis, with working sessions locally on matters of technical detail on a more regular basis. A & P Appledore International Limited plan to base a small project team of senior personnel in Gibraltar for these discussions. The Gibraltar Government team will be retaining the assistance of accountants from Coopers & Lybrand and the ship repair adviser. In addition, a legal adviser specialised in the commercial ship-repairing field will be recruited shortly.

The Gibraltar Government will wish to monitor progress and await the outcome of these discussions before it takes a final decision on the matter.

SUPPLEMENTARY TO QUESTION NO. 358 OF 1982

HON J BOSSANO:

Mr Speaker, these project schemes and so on being set up by A & P Appledore, is this at their own expense? Presumably, at the end of the day the answer would still be negative so this is something that they are prepared to finance themselves in the hope of getting a positive answer, is it?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

This is a matter which has been discussed between A & P Appledore International and the ODA in consultation with the Gibraltar Government at present.

HON A J HAYNES:

Mr Speaker, has A & P given a date in which the Gibraltar Government hopes or expects to make a final decision?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The answer to the question stated that the discussions were envisaged to take four to six months, they may well take four weeks, they may well take longer. Until the outcome of the discussions are known, until we know what progress has been achieved I do not think one can give a definite answer at all.

HON J BOSSANO:

Would it be correct then to deduce that the fact that the proposals of Appledore have been selected by the existing consultants does not of itself infer that they are workable, it just infers that they are more attractive than the alternative, is that correct?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The answer to the question, in fact, specifically and deliberately says "the preferred operator, A & P Appledore International Limited". They are the firm chosen by the consultants as the preferred firm with which we will discuss the matter further.

HON J BOSSANO:

Mr Speaker, I would ask the Government whether they are aware that certainly at management level in the Dockyard the impression is being given that the selection of Appledore as the preferred operator of itself means that Appledore has proved that they have got something workable or something worthwhile or something viable. I am saying can he confirm that the fact that they have been selected just indicates that the alternatives are considered worse than what Appledore was offering, not necessarily that what Appledore is offering is of itself viable and that that has yet to be proved?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I cannot speak for the Management of the Dockyard, they may have their own views, I can only go by the recommendations in the consultants' report which were presented to the Gibraltar Government and it is quite clear from that report right across the range of all the various issues which were analysed and which were publicly shown to selected groups of individuals and firms, that Appledore at face value presents the best solution or best viable solution in terms of the analysis carried out by the consultants.

HON J BOSSANO:

Yes, Mr Speaker, that is the point I am trying to make that to say that it is the best, the best is not necessarily good, the best just means that the rest are worse, is that right?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

This is precisely I think why we have to enter into the project stage.

HON J BOSSANO:

This is why I am asking, am I right in deducing from what he has said that the implications of that is that Appledore has been selected as the best out of a number of possible alternatives but that does not necessarily mean that in isolation what Appledore has to offer is itself a good thing or that the fact that it has been selected proves that it is in itself a good thing?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I totally accept that assumption. In fact, I would say that you might have a series of proposals and you may find that there is one which suggests that you have a yard in the Dockyard where you have a tug-boat and ten men working on it and that may prove to be the most viable, the most profitable operation amongst a whole series of proposals but that does not necessarily mean that it is the best solution in terms of the wider issues which concern the economy and this is precisely the point which the Chief Minister made in answer to the previous question.

HON A J HAYNES:

Mr Speaker, will the Government confirm or deny that there are five pre-requisites to successful commercialisation and these are, the cooperation of the British Government

MR SPEAKER:

We are not going to discuss the viability of commercialisation in any manner or form under this question. We are talking about the matters related to the acceptance of A & P Appledore International Limited as to the proposals which are going to be studied by Government and that is all that we are going to discuss.

HON A J HAYNES:

Mr Speaker, the context in which Appledore is being considered comes in within the larger framework of the pre-requisites for successful commercialisation and these must be matters which in my opinion Government

MR SPEAKER:

I am sure and I know for a fact that the information you are seeking is common knowledge now but if any Hon Member had wished to know what these conditions were it should have been asked as a direct question but not under a supplementary to this one because it is not relevant.

HON A J HAYNES:

Mr Speaker, if you will allow me to pose the question before you rule on it?

MR SPEAKER:

Yes, do so by all means.

HON A J HAYNES:

Will Government confirm or deny that the pre-requisites for a successful commercialisation and in the context of which the Government will not consider the Appledore project are the following: the cooperation of the British Government in financial terms, and that seems to have been given, the end of the shipping recession and that is yet to be seen, competent management facilities as seems to be offered by Appledore, the willingness of the Gibraltar Government and that is yet to be seen, Mr Speaker, and the co-operation of the workforce and that is in the hands of the unions?

MR SPEAKER:

I will only allow an answer of yes or no.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think it is irrelevant in the context of this question, Mr Speaker.

MR SPEAKER:

I am completely and utterly in agreement with you.

HON A J HAYNES:

It is only irrelevant because they do not wish to answer.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Mr Speaker, I am quite willing to answer any questions, the thing is that it states in this question how discussions are envisaged to develop or how the Government envisages these discussions will develop and at what stage it expects to take a decision, it does not make any reference to what are the pre-requisites from the point of view of the Gibraltar Government for a successful or a viable commercialisation of the Dockyard.

HON A J HAYNES:

How do they hope to answer in six months time when they make final decisions unless they consider all the ramifications of commercialisation?

MR SPEAKER:

We are not suggesting that that is not something which has to be considered, what we are suggesting here is that it is not relevant in the context of the present question, that is all we are saying. Next question.

8.12.82

NO. 359 OF 1982

ORAL

THE HON W T SCOTT

Sir, will Government ensure that the appropriate Apprentice Training Schemes are included as part of the proposed operation of Appledore in a possible commercialised Dockyard?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Sir. The Appledore proposals include provision for the training of apprentices.