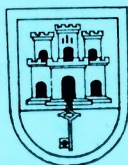


GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

Meeting of
17 March 1982
1 to 99

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.

1980/81Public 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.

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.

NO. 24 OF 1982

ORAL

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.

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.

NO. 49 OF 1982

ORAL

THE HON A T LODDO

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

ANSWER

THE 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 1982

THE 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?

ANSWER

THE 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.