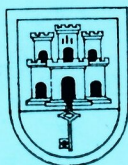


GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

Meeting of
6 July 1982
100 to 170

THE HON J BOSSANO

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

ANSWERTHE HON THE ATTORNEY-GENERAL

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

SUPPLEMENTARY TO QUESTION NO. 100 OF 1982

HON J BOSSANO:

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

HON ATTORNEY-GENERAL:

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

HON J BOSSANO:

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

HON ATTORNEY-GENERAL:

The answer is not quite.

HON J BOSSANO:

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

HON ATTORNEY-GENERAL:

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

HON J BOSSANO:

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

HON ATTORNEY-GENERAL:

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

HON J BOSSANO:

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

HON ATTORNEY-GENERAL:

Not quite.

MR SPEAKER:

Next question.

THE HON G T RESTANO

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

ANSWERTHE HON THE ATTORNEY-GENERAL

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

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

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

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

SUPPLEMENTARY TO QUESTION NO. 101 OF 1982

HON G T RESTANO:

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

HON ATTORNEY-GENERAL:

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

HON A J HAYNES:

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

MR SPEAKER:

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

HON A J HAYNES:

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

MR SPEAKER:

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

HON J BOSSANO:

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

HON ATTORNEY-GENERAL:

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

HON P J ISOLA:

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

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

HON ATTORNEY-GENERAL:

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

HON J BOSSANO:

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

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Mr Speaker.

HON J BOSSANO:

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

HON ATTORNEY-GENERAL:

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

HON P J ISOLA:

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

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

HON A J CANEPA:

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

HON P J ISOLA:

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

HON A J CANEPA:

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

MR SPEAKER:

Next question.

THE HON G T RESTANO

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

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

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

SUPPLEMENTARY TO QUESTION NO. 102 OF 1982

HON G T RESTANO:

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

HON FINANCIAL AND DEVELOPMENT SECRETARY:

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

HON G T RESTANO:

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

HON FINANCIAL AND DEVELOPMENT SECRETARY:

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

HON A J HAYNES:

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

HON FINANCIAL AND DEVELOPMENT SECRETARY:

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

HON G T RESTANO:

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

HON FINANCIAL AND DEVELOPMENT SECRETARY:

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

HON G T RESTANO:

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

HON FINANCIAL AND DEVELOPMENT SECRETARY:

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

HON P J ISOLA:

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

HON FINANCIAL AND DEVELOPMENT SECRETARY:

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

NO. 103 OF 1982

ORAL

THE HON P J ISOLA

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

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

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

SUPPLEMENTARY TO QUESTION NO. 103 OF 1982

HON P J ISOLA:

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

HON FINANCIAL AND DEVELOPMENT SECRETARY:

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

THE HON A J HAYNES

Sir, will Government reconsider their answer to Question 286 of 1981 and the further request on the matter of import duties?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, in reply to Question No. 286 of 1981 I said that if there were firm evidence that private dwellings were installing solar heating or other such non-fossil fuel consuming devices on a large scale the Government would be prepared to consider what additional relief might be given. I also said that any such concession would have to be looked at in the light of the Government's financial position and on the cost/benefit to the economy as a whole. No evidence has been produced to the Government and no approach has been made by any person seeking the relief suggested by the Hon Member. In the circumstances the Government does not consider that a case has been made for moving beyond the existing provisions of the Income Tax Ordinance, which already provides for relief where a commercial institution installs the type of equipment mentioned.

SUPPLEMENTARY TO QUESTION NO. 104 OF 1982

HON A J HAYNES:

Mr Speaker, isn't Government interested in encouraging the idea? After all the purpose of granting a subsidy or tax relief is to encourage people to introduce solar heating which in turn would take the load off our electrical generating power plant which does not seem to meet requirements? As I said last time, which came first the chicken or the egg?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

What comes first, Mr Speaker, is a request from someone to do this, it does not mean me. For a question to be asked in the House "will Government do this or that" is one thing but Government then replies "we will consider it if a case is put to us", a case has yet to be put.

HON A J HAYNES:

Will the Financial and Development Secretary look at proposals on the basis of what the relief offered by other countries to encourage the introduction of solar heating is? Will the legislation and the lead shown by other countries in Europe be a sufficient case for the Financial and Development Secretary?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, no, Sir. What I want to see and what the Government wants to see rather, is a specific proposal put forward by persons saying what the case is for doing this in Gibraltar and when it comes we will review it sympathetically but what we want is a case to be brought forward.

HON P J ISOLA:

Mr Speaker, isn't it self evident that if the Government wished to encourage solar energy in Gibraltar and does it not have good reasons for doing this having regard to the very high cost of electricity in Gibraltar? Isn't it part of the Government's duty to announce measures to encourage people to rely on solar energy and take measures like it did, for example, with regard to certain building materials? I would have thought that the initiative should come from the Government if it is convinced that it should be encouraged.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, we have yet to be convinced that it should be encouraged because how many people are importing this solar heating equipment? How much has been imported over the last year? I have no idea, no one has come forward and told us.

HON J BOSSANO:

Mr Speaker, the provisions in the Income Tax Ordinance regarding home improvements where interest payments on loan to improve a property come under the same provisions for tax relief as mortgages to purchase property. Would the introduction of this equipment count as a home improvement? Is that already available, I am asking?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I would need notice of that question.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Further to Question 247 of 1981 will Government make a statement regarding the financial consideration raised in answer to that question?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Sir, the financial considerations to which I referred in answer to question 247 of 1981 still apply. The Government intends to improve facilities for cruise liners and ferry services once it has the necessary funds for such development. The desired improvements must await - the outcome of consideration of the proposals for commercialisation of the Dockyard and the long-awaited discussion with Her Majesty's Government regarding the Gibraltar Government's 1981/86 Development Programme.

SUPPLEMENTARY TO QUESTION NO. 105 OF 1982

HON A J HAYNES:

Mr Speaker, how much money is required for the proposed improvement?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Broadly in the order of £4m.

HON A J HAYNES:

£4m would be spent on improving facilities for liners, is that the answer I am being given?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Sir. The answer is that that would be required to improve facilities for cruise liners and ferry services.

HON A J HAYNES:

Do I understand it, Mr Speaker, that includes reclamation of the causeway where the viaduct is now?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Sir, the cost of the reclamation of the causeway would be separate. That would be over another £1m.

HON A J HAYNES:

Mr Speaker, can I be told what £4m will give us, what work, what improvements do you have in mind for £4m and what period of time will they take

MR SPEAKER:

No, we are not going to go into details now. With due respect, I think you have been given your answer. If there is anything else you want to widen on the answer, most certainly.

HON A J HAYNES:

What, generally, will the £4m produce?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Reclamation at Waterport, building of new jetties, building, car parking and full facilities there for passenger terminal.

HON A J HAYNES:

Mr Speaker, when does the Financial and Development Secretary believe that the money will be released? Is there a time-scale, a time-table?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Sir, the time-scale was April, 1981.

MR SPEAKER:

It is dependent on the development aid which has not come.

HON A J HAYNES:

I know that, Mr Speaker, but does the Financial and Development Secretary have a listing of priorities? Does he expect it to commence at any given time or is this something that he has left on the shelf to collect?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Sir, I have left it on the shelf to collect money from Her Majesty's Government.

HON A J HAYNES:

Given that there is no doubt that the delays involved in this, will the Financial and Development Secretary consider spending something far less than £4m and which will give some meagre facilities to those tourists arriving on liners? An interim thing like lavatories, a small cafe, things like that, could those be installed or put under effect now?

MR SPEAKER:

In other words, you are being asked whether an interim development or improvement should be carried out.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, certainly, if it appears that it is going to take a long time to get the project and the money off the shelf the Government will certainly look at other measures to improve the conditions at the Waterport.

HON A J HAYNES:

When will they do this, Mr Speaker?

MR SPEAKER:

No, next question.

THE HON A J HAYNES

Further to Question 209 of 1981, will Government make the Alexander Howden Report and the proposals made by Ernest J Notcutt (Overseas) Limited available to the Opposition under similar terms and conditions as those applied in the releasing of the PEIDA Gibraltar Port Study?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

No, Sir, a distinction must be drawn between the PEIDA Gibraltar Port Study and the proposals submitted by Alexander Howden and Ernest A Notcutt (Overseas) Limited. PEIDA were appointed as consultants to the Government and it is open to the Government to make their report available as it wishes. The Howden and Notcutt documents contain commercial proposals and comments put forward in confidence and it would be wrong for the Government to disclose this information to a third party.

SUPPLEMENTARY TO QUESTION NO. 106 OF 1982

HON A J HAYNES:

Mr Speaker, can it be censored for the eyes of the Opposition since, given the importance of the proposals as regards the problem, surely an edited version could be made available to the Opposition?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

First of all, Sir, I would like to say that I have already told the House in the budget session that the Government has decided not to proceed with Commercial insurance cover for all Government buildings. The intention is that only assets vital for the running of the essential services will be insured externally. The Government will continue to provide cover for its other assets through its own fund. I think that is the first one, Sir. The second is that it really would be a totally emasculated document to present to anyone if we took out the commercial proposal because we received from an insurance company proposals which state rate for various risks and these cannot be disclosed to a third party and I think that it would be really valueless to anyone to have a document which removes all the commercial-in-confidence information in that document.

HON A J HAYNES:

Mr Speaker, can I remind the Financial and Development Secretary that in answer to question 209 he did state that "the Government would consider releasing such information in the reports as may be of public interest as soon as a decision has been taken on the insurance of its properties". As the decision has now been taken I would like the release of the information that he considers of public interest.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, when I gave that answer the Government was of the view that it would be entering into an agreement with an insurance company for the re-insurance of its assets. It has not. If it had done so, it would have been necessary to disclose to the House the terms on which this was being done and that was what I had in mind when I gave that answer but now the Government has decided not to go ahead and it would not be proper therefore to release information which could be useful to other commercial firms.

HON A J HAYNES:

Mr Speaker, does the Financial and Development Secretary agree that on this side of the House we have had none of the information available which the Government used in making its decisions as to whether to accept re-insurance or not? We have been advocating re-insurance on this side of the House. We would like to see the papers on which Government makes its decision to see if we concur in that decision or not.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, I am sure that every Opposition in the world would like to see the papers available to the Government so that it could monitor its decision. I am sorry, it is for the Government to receive proposals, take a view and to make the decisions and as much as I understand the desire of the Hon Member to see the papers I regret that we cannot agree with his request.

HON A J HAYNES:

Do I take it, Mr Speaker, that they are prejudicial?

MR SPEAKER:

Well, it is their decision.

HON J BOSSANO:

May I ask, in fact, Mr Speaker, what are the terms and conditions applied to releasing the PEIDA Study for the Port since I have not seen the PEIDA Port Study?

MR SPEAKER:

Well, it does not arise from this question.

HON J BOSSANO:

It is the terms and conditions which I am not aware.

MR SPEAKER:

You have just become aware by the way the question has been asked that the other report has been released. I accept that.

HON J BOSSANO:

Yes. But what I ask is what one needs to do to be privy to that Report.

HON CHIEF MINISTER:

Mr Speaker, I forget now the terms upon which a copy was made available to the official Opposition. If, in fact, it was meant for the Opposition as a whole then the Hon Member will have an opportunity of looking at the Report. If it was made as a request, I forget now, but I certainly have no intention of leaving out the Hon Member from any information that he could use to try and make our lives difficult.

HON P J ISOLA:

Mr Speaker, we did get two copies of the Report - the official Opposition. It was on the basis that certain areas were sensitive areas and we could not disclose at all. I am not in a position to pass it on to my friend Mr Bossano because I am not in a position to extort any undertakings. This would really have to come from the Government, I am quite happy to pass one on to him if this is the problem.

HON CHIEF MINISTER:

I am grateful to the Leader of the Opposition for reminding me. I will have to discuss the matter with the Hon Member who at all times expressed the view that he does not hold to any considered charity in connection with foreign affairs before I decide that I can give him the Report.

MR SPEAKER:

Next question.

NO. 107 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government make provision for cubicles at the Income Tax Office so that personal tax problems can be discussed privately and not publicly as hitherto?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, the counter positions in the Income Tax Department are intended for the handing in of completed tax returns and to deal with general queries. When a taxpayer has a personal problem he is seen privately and not at the counter. Moreover, matters of a private and highly personal nature are generally dealt with by senior officers who are housed on the first floor and have private offices.

SUPPLEMENTARY TO QUESTION NO. 107 OF 1982

HON A T LODDO:

Mr Speaker, but does not the Hon Member agree that a lot of private matters are in fact discussed over the counter within hearing of other people waiting in the queue and my question is would the Government make provision for cubicles without having to go to the higher official in the Income Tax Department to actually discuss their problems which might be of a minor nature but which the individual does not like to have to air in public?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, my understanding is that as soon as a matter of a personal nature arises the person making the enquiry is invited in to an office and it is not dealt with at the counter. It might be that if there were room in the present Income Tax Office it would be useful to have confessionals, if one would like to call it in that term, to take someone there and to save them going into the inner office. I accept that this might be desirable but in fact there is no room there but it is something that we could bear in mind if we were ever to move to slightly larger premises.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Sir, will Government request an Interim Report from the Commissioner appointed to undertake the revision of the Laws of Gibraltar to consider the advisability of new legislation to supersede present Ordinances where appropriate?

ANSWERTHE HON THE ATTORNEY-GENERAL

No, Sir, the Government does not consider this either necessary or appropriate.

The Commissioner's terms of reference are to produce a Reprint of the Laws of Gibraltar. As I have previously said in this House, it is not feasible for him to undertake a substantive revision of the laws.

Nevertheless, in the course of the work, which is now well under way, the Commissioner in consultation with me is taking the opportunity to bring up-to-date various provisions in the law.

A Bill to effect miscellaneous law reform amendments is now in draft. There will be more Bills of this nature before the project is completed. We also intend to promote some more substantive Bills, for example, in relation to the criminal law.

The Commissioner keeps in close contact with us. He recently spent several days in Gibraltar and was able to discuss a large number of matters with interested parties.

SUPPLEMENTARY TO QUESTION NO. 108 OF 1982

HON A J HAYNES:

Mr Speaker, I am not quite satisfied with the answer insofar as if they don't ask the Commissioner whether he thinks there is any point in revising the laws they won't be able to answer the questions that I put to them. If, as I believe, Mr Speaker, and perhaps the Attorney-General shares my view on this, a large number of our Ordinances are totally out-of-date then a revision is not going to be the answer and I think the Attorney-General should make a statement. Does he not agree with that general opinion or not?

MR SPEAKER:

The answer has been no.

HON ATTORNEY-GENERAL:

When the prospective Commissioner as he was at that stage, came to discuss this project with us, one of the points we talked about was the practicability of undertaking what is incorrectly now known as a revision as distinct from a reprint and it was decided that really that was too much to take on and that there was, I have said this before I am sure, Mr Speaker, but there was a need for a reprint.

An up-to-date reprint of the Laws of Gibraltar and a fairly urgent need. In order to achieve that result it was necessary to concentrate on that and not to undertake a much more ambitious undertaking of a revision of the laws. Of course, a number of Gibraltar's laws have been in force a long time, this is not peculiar for Gibraltar, this happens the world over, and at this stage the way in which the laws are up-dated is why the Government decided as in the case of the Banking Bill which is before the House now that that is an area where there should be a revision of the laws but it is not the task of the Commissioner, except in the rather limited attempts that I mentioned before, it is not the task of the Commissioner to undertake this.

HON A J HAYNES:

I am not suggesting that the Commissioner should become the legislature for Gibraltar, Mr Speaker. I am asking whether or not the Commissioner has been asked whether there is any point in doing a minor patch-up job when what is really required is major surgery. Have they

MR SPEAKER:

I think the answer has been given to you that it has been considered and it has been decided not to do that. I think you have been told clearly by the Hon and Learned Attorney-General it has been discussed with the Commissioner and it has been decided that it would not be worth to do that now.

HON A J HAYNES:

On a point of clarification. Has the Commissioner been consulted and has the Commissioner said that there is no need?

MR SPEAKER:

That is what the Hon and Learned Attorney-General said.

HON A J HAYNES:

That, I am afraid, is entirely in conflict with my own estimation on this.

HON ATTORNEY-GENERAL:

Well, it is clear there is no doubt about this. I thought I just said this a few minutes ago, with respect. The scope of the exercise was discussed. The possibility of doing a substantive revision was reverted to but it was decided it was too big a project and that we would limit ourselves to a reprint. I cannot agree that a reprint is a minor job, the reprint itself is a major job.

HON A J HAYNES:

Mr Speaker, I know that at the stage prior to the appointment of the Commissioner these matters were discussed. What I am asking is whether once the Commissioner has actually got down to do the work he has been questioned and the matter has been discussed again.

MR SPEAKER:

Let us get an answer to that question.

HON ATTORNEY-GENERAL:

I am sorry, Sir, I am not sure what the question is.

MR SPEAKER:

What the Hon and Learned Mr Haynes is asking is that he now accepts the fact that prior to the appointment of the Commissioner the matter was discussed. Has it been put to him since he was appointed?

HON ATTORNEY-GENERAL:

No, Sir, the decision was made before and it has not been changed since. He has not considered the matter to be changed since. I think, if I may perhaps just go on a little way, Mr Speaker, I am not sure whether the Hon and Learned Member appreciates that the work of a lawyer and a reprint lawyer is one task. The work of revising the statute law of a territory substantively is a much bigger task than just a technical task, that is why in the case of the Banking Ordinance one has an expert in the Banking Bill to advise, one has lawyers, one has, of course, the financial people but really this present exercise for the reprint of Gibraltar is not the place to undertake what the Hon Member is suggesting and frankly I am not really sure that any Government anywhere undertakes that as a single project all at once.

HON P J ISOLA:

Isn't there some value, Mr Speaker, in looking at the middle position between those two views? That is to make use of a Commissioner who is of the stature of the present Commissioner, an ex-Chief Justice of Gibraltar, to make use of him in the sense that as he looks at the laws requiring reprint and decides what has to go in the reprint, it must surely come to his notice the need in some particular Ordinances for up-dating. What I think my Hon Friend would like to see is some recommendations by him not actually revising the laws but some recommendations by him as to areas in which the Government should look at law revision because our civil law, Mr Speaker, is so old that I know it is a fantastic, it is an almost impossible task to revise. Some move could be made when you have got an expert like you have at the moment reprinting or looking at the reprints of the Gibraltar laws.

HON CHIEF MINISTER:

I can assure the Hon Leader of the Opposition that from the little I have seen of what the Commissioner is doing, he is very much taking into account that as far as he can go within his remit.

HON A J HAYNES:

Mr Speaker, then will the

MR SPEAKER:

No, we are not going to go beyond that, we are debating now. If you want to ask a question you are free to do so.

HON A J HAYNES:

A question, Sir. Will the Government now request an interim report from the Commissioner as to the advisability of this middle road? Why not in writing?

HON CHIEF MINISTER:

There is no need for it, he is getting on with the job.

MR SPEAKER:

Order, that is the end of the matter. Next question.

6.7.82

NO. 109 OF 1982

ORAL

THE HON G T RESTANO

Will Government state what is the position with regard to the appointment of a new Principal Auditor?

ANSWER

THE HON THE ATTORNEY--GENERAL

Answered together with Question No. 112 of 1982.

THE HON P J ISOLA

Sir, in view of the fact that the opening of the frontier is likely to be delayed somewhat can Government make a statement as to its attitude in relation to the temporary staff that was engaged for the police, customs, the Labour and Social Security Department and any other departments?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Mr Speaker, the following additional staff were engaged in connection with the proposed re-opening of the frontier:--

25 Police Officers
 11 Police Reservists
 21 Customs Assistant Officers
 15 Clerical Assistants

The Police Officers were employed on permanent and pensionable terms and the remainder were employed on temporary terms.

The Police Reservists were engaged for the control of car parks, but Government has now decided that they will not introduce parking charges for the time being. These officers are therefore surplus to requirements and steps will be taken to terminate their employment.

Of the 21 Customs Assistant Officers, 5 had been transferred from other Government departments and would have to be reinstated. The need for an additional officer for the manning of the Yacht Reporting Station has already been accepted. A Staff Inspection of the Customs Department is currently being carried out - this was last done in 1977 - and this may throw up the need for additional officers to cover for reliefs which were not provided for in the original inspection and are at present being covered by overtime, and for additional leave cover arising out of increased leave eligibility. Government has therefore decided that the 5 transferred officers be retained in the Customs Department pending the outcome of the Staff Inspection and in any event subject to review by the end of September. Steps will be taken to terminate the employment of the remaining 16 officers.

It is estimated that the 15 Clerical Assistants could be absorbed into the service by October/November this year as a result of promotions, resignations, etc. There already exist 5 vacancies which will be filled from this source. The remainder can in the meantime be usefully employed in carrying out a number of essential ad hoc tasks such as the up-dating of information in the Arrears Section and reviewing the service records of industrials. Government has accordingly decided to retain the services of the Clerical Assistants and review the position at the end of September.

The position of the 25 additional Police Officers is still under consideration.

Government has also decided that subject to agreement by the Staff Side, those officers whose services are being dispensed with be given priority of employment in any vacancies that may arise in the Government service between now and 31 December, 1982, provided they are considered suitable for such employment.

SUPPLEMENTARY TO QUESTION NO. 110 OF 1982

HON P J ISOLA:

Mr Speaker, I am a little confused. Could I just ask, as far as the Police are concerned, I thought from the beginning of the statement that they had all been employed permanent and pensionable.

HON A J CANEPA:

That is correct.

HON P J ISOLA:

Didn't the Minister now talk about 15 officers or am I

MR SPEAKER:

No, Reservists.

HON A J CANEPA:

There are 25 Police Officers and they were engaged on permanent and pensionable terms and 11 Police Reservists who are having their employment terminated.

HON P J ISOLA:

Mr Speaker, then with regard to the 25 Police Officers who were taken and are now permanent and pensionable, has the Government any idea of what is going to be their role in the Police Force?

HON A J CANEPA:

We are awaiting, I think, a report or I think it has just been submitted actually, a report from the Commissioner submitted at the end of last week which is still to be considered by the Government. There is also the question that the Police are now working a 42-hour week and it might be possible to consider at the same time reducing that to the 40-hour week.

HON P J ISOLA:

I don't know whether the Minister knows, what is the additional cost of retaining 25 people who are not particularly needed?

HON A J CANEPA:

I do not have the information readily available but I would imagine that a Police Officer may start at the bottom of the scale somewhere in the region of £5,000 a year, perhaps, we are talking of something in excess of £100,000 a year, of that order.

HON P J ISOLA:

Mr Speaker, as the matter is being considered I won't ask any more questions on the Police except to ask an assurance that if the Police Department is now to have 25 more Policemen than it used to have, will it be possible that they be used in things like the Keep Gibraltar Tidy campaign in the interest of the stray dogs etc, rather than in the new pronounced habit which has appeared from the extra Police Force of placing parking tickets in every single car that can be found on a yellow line in Gibraltar?

HON A J CANEPA:

It is a line of action that is to be devoutly and totally hopeful. Whether it will materialise is another matter.

HON P J ISOLA:

Mr Speaker, am I right in thinking that of all the additional staff that has been taken on by the Government on a temporary basis there are only 16 for the chop? Is that what I have heard?

HON A J CANEPA:

At this stage I said that steps will be taken to terminate the employment of the remaining 16 Customs Officers and I also said that steps were being taken to terminate the employment of the Police Reservists, so we are talking of 11 Police Reservists and 16 Customs Officers, 27.

HON P J ISOLA:

Mr Speaker, may I ask the Government if its criteria in relation to all these jobs, the criteria of efficiency and keeping the public service in an efficient manner, having accepted that criteria, having assumed that that is the criteria that the Government has based itself, then may I ask that as far as those that are to be discharged, that the Government in view of the situation, and it is no fault of theirs obviously, that the Government will give a reasonable amount of notice so that the persons concerned can find themselves some other occupation?

HON A J CANEPA:

Well, I think notice can be given according to the terms of their employment but to what extent we can go beyond that I do not know. I think the Government is a good employer and we would not wish to be harsh if we can help it.

HON J BOSSANO:

Can the Minister confirm, in fact, that all these things that he says the Government has decided, have so far been decided without consultation with the Staff Side and that the Staff Side's view has not yet been taken into account in any of these decisions?

HON A J CANEPA:

That is correct but the Government has got a problem in having to answer the questions in the House of Assembly before it can consult all the Staff Associations.

MR SPEAKER:

Next question.

NO. 111 OF 1982

ORAL

THE HON P J ISOLA

Sir, is there any particular reason why summer hours for those in Government service should continue into the middle of September?

ANSWERTHE HON THE ATTORNEY-GENERAL

Conditioned working hours, excluding lunch-breaks, are 37 per week. During summer hours, only $32\frac{1}{2}$ hours are worked each week. To be able to make up the conditioned hours at the end of the year, it is therefore necessary to increase the working week during winter to $38\frac{1}{2}$ hours per week. The combination of 39 weeks of winter hours and 13 weeks of summer hours achieves the required overall annual conditioned hours.

Summer hours are also planned to coincide with the working by Government schools of half-days. These operate immediately before and after the school summer holidays, from mid-June to mid-September.

SUPPLEMENTARY TO QUESTION NO. 111 OF 1982

HON P J ISOLA:

Mr Speaker, so the main reason is really, to coincide with the school holidays and the school summer hours, is that it?

HON ATTORNEY-GENERAL:

No, I think the main reason, Mr Speaker, is just to achieve an overall number of working hours throughout the year. I think the other matter is a factor.

HON P J ISOLA:

That is a matter of mathematical computation, I assume. But will the Government bear in mind that, of course, summer hours although possibly highly desirable are inconvenient to the public and bear in mind that really once the summer is over which is the late summer holiday in August, there is really no good reason why this inconvenience should continue into September? That is my first question.

HON ATTORNEY-GENERAL:

I would be quite happy, of course, Mr Speaker, to convey this view to the appropriate circles in Government.

HON P J ISOLA:

Mr Speaker, may I ask a second question which is a broader question and that is, will Government consider, in connection with next year's summer, if summer hours are deemed to be desirable and there is a case for that, obviously, of its own initiative getting together with private employers and other employers to see whether we can have some sort of regular summer hours for the whole of the community because at the moment the position is a bit chaotic?

HON A J CANEPA:

I see increasing notices in the press of private sector firms who are actually working the same summer hours as the Government.

HON P J ISOIA:

Mr Speaker, very few. I have seen them myself but I think, is there not something to be said for trying to get everybody or not everybody, at least a vast number of the population working the same hours. Because will the Government not agree that there is a certain amount of inconvenience and inefficiency in different sectors of the community working different hours and I would ask the Government as the Government they should perhaps initiate and coordinate policy on these matters?

HON A J CANEPA:

Well, it has not been possible to do that, Mr Speaker, until very recently, perhaps because there has been a great deal of dispute as between the Government, a certain amount of disagreement as to the extent of summer hours and the best manner in which to implement it with the Associations that hold negotiating rights for our Clerical Officers. Sometimes it has not been until the very last moment almost that agreement has been reached. In fact, on this occasion it was not that bad because the situation last year was carefully monitored and there was feedback immediately after summer hours had been worked last September and the position was found to be rather better. I think the point could be considered for the future, let me add we have also taken very careful note of complaints, if any, from the public. We have asked the Heads of Departments to be on the look-out for that and there do not seem to have been any serious complaints in working the present summer hours last year. They are being worked for the same period of time and for the same conditioned hours but in the same way as we consult in respect of summer time and in respect of public holiday, I think we could bear the point in mind and consult, say, the Chamber of Commerce.

MR SPEAKER:

Next question.

NO. 112 OF 1982

ORAL

THE HON J BOSSANO

Can Government state whether it is still intended to localise the post of Principal Auditor?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, a local officer has already been selected as designate to take over the post when the present incumbent terminates his contract in September this year.

SUPPLEMENTARY TO QUESTION NOS. 109 AND 112 OF 1982

HON G T RESTANO:

Mr Speaker, is there any truth that the post is being downgraded or it is intended to downgrade the post?

HON ATTORNEY-GENERAL:

The position on that, Sir, is that the senior grades review is at present under consideration. It would not be appropriate at this stage for me to comment on any matter in that reconsideration.

HON G T RESTANO:

Is it a fact, Mr Speaker, that the person who was appointed considering that there might be a downgrading might not in fact take up this post?

HON ATTORNEY-GENERAL:

I do not think I can speculate in any way, Mr Speaker. As I say, the senior grades review is under consideration and the matter is at that stage.

HON J BOSSANO:

Will the Hon Attorney-General agree that whether the post is filled by a locally entered member of the service or by an expatriate should be an irrelevant consideration for the grading of the post?

HON CHIEF MINISTER:

Absolutely.

HON ATTORNEY-GENERAL:

I think the Hon Chief Minister has answered that.

MR SPEAKER:

Next question.

NO. 113 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, can Government say what is the present position regarding the old Shell Petrol Station at the junction of Landport and Corral Road?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, the matter is subjudice. Proceedings have commenced and the matter is likely to be determined shortly.

SUPPLEMENTARY TO QUESTION NO. 113 OF 1982

HON A T LODDO:

Mr Speaker, can I ask how short is shortly?

HON ATTORNEY-GENERAL:

I cannot say, Mr Speaker, but the proceedings which I should explain are rather fatal proceedings, I am moving in it now.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Will Government state what steps are being taken to protect children against the meningitis epidemic currently existing in Gibraltar?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES

Mr Speaker, the Government is taking all the necessary steps to curb the current outbreak of meningococcal meningitis. These steps include:

- (i) The treatment and isolation of the patients
- (ii) The closure of the ward where the children are treated
- (iii) The administration of prophylactic treatment to immediate family and class contacts
- (iv) The closure of the school and nursery where the cases occurred, and
- (v) The surveillance of the community with a view to early diagnosis and initiation of proper therapy without delay.

SUPPLEMENTARY TO QUESTION NO. 114 OF 1982

HON G T RESTANO:

Mr Speaker, can the Minister say when the first case was identified?

HON J B PEREZ:

I think, Mr Speaker, the first case was around the 13th of last month.

HON G T RESTANO:

Will the Minister say what the surveillance consists of?

HON J B PEREZ:

The surveillance of the community I mean is that parents and relatives of the affected children have been informed of anything that may occur which they ought to report immediately to the Health Centre doctors who were briefed immediately on what the side effects and what conditions children suffering the disease actually have. The idea is in fact to also get parents to help the Public Health Department and in fact to inform us of any cases because you have cases in which parents may say: "My child has this, that and that but we do not want them to take these tablets because of the possible side effects", that is what I mean by surveillance.

HON G T RESTANO:

How many people have in fact been treated other than, of course, the ones who contracted the disease?

HON J B PEREZ:

I have not got the exact figure here with me, Mr Speaker, but what the department has done is instead of trying to ascertain and look for one carrier, what we have assumed is that all cases and all primary contacts of the affected cases have all in fact been treated. This includes not only the patient himself or herself but we have also treated close relatives, family and also all the children of that particular class who were probably in close contact with the affected child. But I have not got the exact figure.

HON A J HAYNES:

What is the likely cause or origin of this epidemic, does the Minister know?

HON J B PEREZ:

This, Mr Speaker, unfortunately, is unknown in the world what the actual cause is but I can assure the House and I can assure the public that it has nothing to do with bad drainage or swimming pools or text books or anything to do with the school. It is a germ which, unfortunately, there is no known vaccine, nobody can be immune to this particular germ, it is something that the medical experts of our world have not yet been able to discover and ascertain.

HON A J HAYNES:

Then it is not as a result of poor hygiene or poor standards of hygiene?

HON J B PEREZ:

Not at all, Mr Speaker.

HON P J ISOLA:

Mr Speaker, could I ask the Minister that having regard to the fact that this question was put down on June 28th whether he considers he has treated the House with due respect in having answered the question yesterday in the Gibraltar Chronicle before giving the information to the House?

HON J B PEREZ:

Yes, Mr Speaker, because before the question was tabled there was a meeting held between myself and the experts of my Department with a delegation from Varyl Begg. At that meeting they requested that we provided them with full information or general information in connection with this particular disease. What the Department did immediately was to prepare a paper which was in fact distributed to the whole of Varyl Begg. Following that, the newspapers were continuously or some newspapers were continuously asking questions, not only in connection with what steps the Government were facing in order to protect children but questions in general. The interview given to the Chronicle was, in fact, more or less at the same time as the question was tabled, unfortunately, it is not up to me to tell the Chronicle when to publish the article.

HON P J ISOLA:

Mr Speaker, the question was tabled a week before the article appeared in the Gibraltar Chronicle. Is the Minister saying that he gave this information which apparently all the newspapers were seeking from him so desperately and it took the newspaper a week to publish it? Is that what he is telling the House? When did he in fact give the information to the Gibraltar Chronicle?

HON J B PEREZ:

The information was given to the Varyl Begg tenants well over a week. I do not think, Mr Speaker, I have treated the House unfairly because really what appeared in the Chronicle was a full explanation of everything. The question is only asking what steps the Government are taking, I do not think I have treated the House unfairly.

HON P J ISOLA:

Mr Speaker, it is the privilege of the Minister to do what he likes. I am not complaining about dissemination of information to the Varyl Begg Estate. What I am saying is that the Minister has not treated the House with due respect in having answered the question in the Gibraltar Chronicle precisely a day before he was answering it in the House. I would have thought it would have been more appropriate for him, would he not agree, in placing an embargo until the House had been informed of the position?

HON J B PEREZ:

Mr Speaker, all I can say is that by the time the question reached my department, reached me, we had already given the information to the Varyl Begg tenants and the information was public. The public wanted to know what was going on and if I had not done so I would have been accused of not informing the public.

HON P J ISOLA:

Mr Speaker, I am not complaining it was published. I am complaining with the apparent move on the part of the Minister to pre-empt the question in the House by having something published about the question and his answer the day before. Will he give us an assurance that this is not the sort of practice he is going to follow generally whenever questions are put to him?

HON J B PEREZ:

Mr Speaker, I cannot give an assurance to something that I do not consider that I have done wrong. As far as I was concerned the information that I gave to the press was the information which the public were entitled to have and again, I will reiterate it is not for me to tell the Chronicle when they publish information that is given by Government.

HON P J ISOLA:

Does he not consider it odd it should appear a day before he answers questions on the subject in the House?

HON J B PEREZ:

Mr Speaker, I would have preferred if it had appeared some time last week, but as I say, I am not responsible for the Chronicle.

MR SPEAKER:

Next question.

THE HON A T LODDO

Mr Speaker, before I ask this question can I say that my question was not prompted by the meningitis scare, my question, in fact, I had thought of about a month ago and it has nothing to do with the meningitis scare, the fact that some paper connected it with it has nothing to do with me.

Mr Speaker, how often is the water in the swimming pool at Camp Bay, and the paddling pools at Camp Bay, Sandy Bay and Varyl Begg, (a) changed and (b) subjected to analysis?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES

Mr Speaker, these pools are "continuous flow" ones which ensures that fresh water is constantly circulating in the pools.

Despite this, the pools are emptied and cleaned prior to refilling on all working days in order to remove silt, papers, etc which tend to sink and are not carried away by the "continuous flow" process.

Samples are taken for bacteriological analysis on a weekly basis during the bathing season. The sea water in the areas from which the pools are fed is also similarly analysed on a weekly basis and, for monitoring reasons, is also sampled and analysed at fortnightly intervals during the non-bathing season.

SUPPLEMENTARY TO QUESTION NO. 115 OF 1982

HON A T LODDO:

Mr Speaker, I cannot agree being a regular user not of the paddling pool but of the beach at Sandy Bay. I cannot agree with the Minister that the pools there are cleaned out daily. In fact, my question was prompted by the fact that the water was very, very muddy. Can I further ask the Minister whether in fact what he has said, which I do not readily accept, but whether what he has said applies similarly to the Montagu Seabathing Pavilion and the swimming pool at Eastern Beach?

HON J B PEREZ:

In fact, I will go further. The two pools, Mr Speaker, which have been outlined by the Hon Member, in fact, are cleaned and emptied every single day including weekends. Let me add that as far as my department is concerned we are not responsible for the actual filling or emptying of the pools. What we are responsible for is the analysis of the water. But let me take this opportunity, Mr Speaker, of making public that I seek the cooperation of parents and users of these particular pools and I would urge them to help us on three particular points. One is the dropping of litter in the actual paddling pools and swimming pools, secondly to educate and train their children to use the toilets instead of the pools and, thirdly, not to use the paddling pools or the swimming pools for the washing of their feet before going home.

HON P J ISOLA:

May I ask, what system is used to check that the water is changed every day?

HON M K FEATHERSTONE:

Sir, it is not a question of the water being changed every day as my Hon Colleague has said. There is a pump which is continually bringing in fresh water and there is an overflow pipe which is taking water out. Therefore, the water in the pool, at the rate the pump pumps water in, should change itself four or five times in the day. Plus the fact that it is completely emptied in the early morning and completely refilled by about 8 o'clock in the morning.

HON P J ISOLA:

Mr Speaker, can I ask the Minister to visit the paddling pools in Sandy Bay and see whether that is correct?

HON M K FEATHERSTONE:

We will do so.

HON P J ISOLA:

Can I ask, if the water is changed every day ought not the water to be analysed every day and not on a once weekly basis because all the Minister is getting is analysis of the water on one particular day in the week and the other six days, for all we know, could be disease ridden.

HON J. B PEREZ:

The information I have from my department, Mr Speaker, is that since these pools are continuous flow ones, since they are emptied and cleaned every day, only a weekly analysis is required. But I shall take the matter up with my department following the suggestion by the Hon the Leader of the Opposition and I would ask them again if in fact we should carry on doing it on a weekly basis or more often.

HON P J ISOLA:

Mr Speaker, as the health of children is so important in our community and as children inevitably have to congregate, will both Ministers not agree with me that there is a particular need and a particular importance in close supervision of all the paddling pools all over Gibraltar and in analysis of waters on a frequent basis in order to prevent disease?

MR SPEAKER:

I think, in fairness to the Minister, he has said that he will go into the matter.

HON P J ISOLA:

Yes, Mr Speaker, but I would like both Ministers to go into the matter because it is very easy to tell the House what is done but if proper supervision is not being carried out, we do not know whether it is or it is not being done. That is why I would urge both Ministers to take a look during the summer months because it is the health of a lot of children that is at stake.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Further to Question 293 of 1981 will Government states its reasons for not appointing a Select Committee to investigate the matters referred to?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES

Sir, the Government is satisfied that the Advisory Council on the Misuse of Drugs as currently constituted was the correct forum in which to discuss the matters referred to and therefore discarded the suggestion that a Select Committee should be appointed to investigate such matters.

SUPPLEMENTARY TO QUESTION NO. 116 OF 1982

HON A J HAYNES:

Mr Speaker, is it the opinion of the Government that a Select Committee would have been a waste of time or not?

HON J B PEREZ:

Government's view and my own particular view is that a Select Committee was not appropriate to consider the particular matters that are being referred to. The Government preferred, and I share that personally, in fact, to have a Drugs Advisory Council which I would add is working extremely well. It is composed of experts.

HON A J HAYNES:

I can understand the decision of the Government but I do disapprove of the references to the way

MR SPEAKER:

No, we must ask questions, we are not going to debate. You disapprove, what is your question?

HON A J HAYNES:

My question is, is the Minister still of that view that it would have been a waste of time or is he going to withdraw that?

MR SPEAKER:

He has given you the answer already. He said that this is the best way of tackling the problem.

HON A J HAYNES:

I accept that, Mr Speaker, but there is also an indication that a Select Committee would have been a waste of time.

MR SPEAKER:

Perhaps.

HON A J HAYNES:

I would like clarification on that point. Is that still his view?

HON J B PEREZ:

My view is that the matter is better dealt with by an Advisory Council rather than a Select Committee.

HON A J HAYNES:

I do not think my question has been answered, Mr Speaker. Is the Government of the view that this is a waste of time or not?

MR SPEAKER:

No, he does not have to answer that. He has given you an answer as to how he best feels that it should be dealt with. Next question.

NO. 117 OF 1982

ORAL

THE HON G T RESTANO

Will the Minister for Medical and Health Services state whether the post of Director of Medical and Health Services was vacated in June and furthermore will he say why no new appointment has yet been made?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES

The Director of Medical and Health Services formally retired in June but has agreed to be re-engaged on a temporary basis until his successor can take up his appointment. Surgeon Captain Murchison is now on "retirement" leave until 16 July and Dr Montegriffo is acting in the post for this period.

Applicants for the post were interviewed on 28 May but the selection process has not yet been completed.

SUPPLEMENTARY TO QUESTION NO. 117 OF 1982

HON G T RESTANO:

Can the Minister say why it has not yet been completed?

HON J B PEREZ:

Mr Speaker, I am not responsible nor answerable in this House for the Public Service Commission.

HON G T RESTANO:

But, surely, the Minister is responsible for his Department, surely he must be concerned about the fact that no appointment has yet been made if an interview was made on the 28 May. Why has no appointment been made, is it that further advertising has had to be made to get more applicants? What is the reason?

HON J B PEREZ:

Mr Speaker, of course, I am concerned and I have made by views known to the relevant authorities. Let me add that I have received an indication that the appointment will be made before the end of this week.

HON G T RESTANO:

If that is so, Mr Speaker, when can we expect to have the new Director in Gibraltar?

HON J B PEREZ:

Mr Speaker, since I myself do not know who the new Director is going to be yet because, as I said, I am not responsible for the Public Service Commission, I cannot say when whoever is appointed will take up his post because it may well be that the selected applicant has informed the Public Service Commission that he cannot take up his post until within two months, three months, I do not know.

MR SPEAKER:

Next question.

6.7.82

NO. 118 OF 1982

ORAL

THE HON G T RESTANO

Mr Speaker, is it still envisaged that the introduction of International Direct Dialling will commence on the 1st October, 1982?

ANSWER

THE HON THE MINISTER FOR MUNICIPAL SERVICES

Yes, Sir.

NO. 119 OF 1982

ORAL

THE HON G T RESTANO

Has Government considered the advice of the Opposition given during the Budget Session not to impose any charges for local telephone calls following the introduction of IDD and if so will the Government state whether it has decided to follow that advice?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, the matters raised in this question are dealt with in a statement on the introduction of IDD which I have given notice and which I am making later in these proceedings.

THE HON G T RESTANO

Does Government not consider that its telephone bills of, over £100,000 per year for its own Departments is excessive and would it take steps to effect economies?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, Sir, the Government is conscious of the need to maintain effective control over all departmental costs including telephone bills. It does not consider £100,000 excessive. Nevertheless, it is looking at ways of additional control with the introduction of International Direct Dialling.

SUPPLEMENTARY TO QUESTION NO. 120 OF 1982

HON G T RESTANO:

What sort of matters is Government considering?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Only specified telephones will have access to International Direct Dialling. Secondly, to facilitate local calls pay boxes are being installed in Departments.

HON G T RESTANO:

Is this for international calls?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

To facilitate local calls pay boxes are being installed in various Departments.

HON G T RESTANO:

So that means that the Government intends to charge for local calls?

MR SPEAKER:

We will wait for the statement.

HON P J ISOLA:

Is that why we are going to be asked to vote a lot more money for coin boxes, the intention of the Government to instal pay boxes in Government Departments?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

It is not merely for Government Departments, there is also a greater need for public coin boxes as well.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Sir, further to Question 297 of 1981 will Government undertake to offer financial or other relief to all those suffering from aural pollution in the vicinity of King's Bastion Generating Station in view of the slippage in bringing the new engines to harness?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, Sir, it is not considered that the current level of aural pollution or the fact that there has unavoidably been several months slippage in achieving the improved conditions to which I referred on 17 December last in supplementaries to Question 297, would justify any form of relief to the tenants of premises in the neighbourhood of King's Bastion.

SUPPLEMENTARY TO QUESTION NO. 121 OF 1982

HON A J HAYNES:

Mr Speaker, is the Minister in a position to state whether or not the aural levels presently at King's Bastion Generating Station do in fact form a substance of a nuisance, were it not for the legal protection Government would be responsible for the removal of it?

HON DR R G VALARINO:

Mr Speaker, Sir, the only way I can answer that question because I have not taken readings of aural levels but I have spoken to various people in King's Bastion especially of late and they have found that aural levels have decreased considerably. In fact, to such an extent that they take it almost as part of life and they really feel the levels have been reduced by as much as two-thirds of what they were initially.

HON A J HAYNES:

Mr Speaker, my information from some of those who live in that area is that it is still extensive. Would the Minister undertake to test the aural levels for pollution at King's Bastion Generating Station?

HON DR R G VALARINO:

Mr Speaker, Sir, if this is viable and practicable I shall do so.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Will Government state whether the two sets at the Waterport Power Station were commissioned on the due dates ie 12th May and 19th June, and if they were would Government explain why the Station is not now operating?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, Sir, the House may recall that during the course of the debate at budget time I reported that there had been some slippage on the contract and that the engines at Waterport Power Station were not expected to be in service until later on in the year. In fact I said that the anticipated time would be about September. The two dates mentioned in the question refer to the contractual dates but, as is usually the case with contracts of this nature, which are based on very tight programmes, some slippage is inevitable in the nature of things. Contractors can be affected by such things as delays in shipping and breakdowns in vessels, with consequent shortages of materials and difficulties with sources of supply. Current reports on progress at the site are quite favourable and it is expected that the engines will be available within this revised time-table.

SUPPLEMENTARY TO QUESTION NO. 122 OF 1982

HON G T RESTANO:

Was there any penalty clause, Mr Speaker, in the contract with the contractor?

HON DR R G VALARINO:

Mr Speaker, Sir, there was a penalty clause included in the agreement with the contractor. However, a review of contractual implications cannot be undertaken until completion when contractors claims for extension to contract time can be fully assessed.

HON G T RESTANO:

Can the Minister say what this is costing us? In not having those sets commissioned when they should have been commissioned?

HON DR R G VALARINO:

Mr Speaker, Sir, with all due respect, I think that this question is not within the ambit of the initial question.

HON G T RESTANO:

Well, Mr Speaker, may I put it this way? The House was told that the sets would be commissioned by a certain date. Now we are being told that they will not be commissioned by that date, that they will be commissioned four months later

MR SPEAKER:

I think in fairness to the Minister, it is not now that you were informed, you were informed at Budget Time that there had been a slippage.

HON G T RESTANO:

Well, he said so now.

MR SPEAKER:

No, I think he has referred in his answer to the fact that he had made it known to the House that there was a slippage at Budget Time.

HON G T RESTANO:

May I ask, Mr Speaker, now, whether the Department has had consultations with the Union as to how the Station is going to be run?

MR SPEAKER:

No, under no circumstances.

HON P J ISOLA:

Can I just ask, are the recent widespread power cuts that we had due to the fact that this Station is not in operation?

HON DR R G VALARINO:

Mr Speaker, no, Sir. We have had difficulties with at least two major engines in King's Bastion North apart from that we are doing regular maintenance of another two engines in King's Bastion North and these are the reasons why we have had power cuts of late.

HON P J ISOLA:

Is the Minister aware, Mr Speaker, that 33 months have passed since the Chief Minister stated in this House that we would have a 5 megawatt generator in operation within 18 months and is the position of the Minister that he still cannot give us a date when this Power Station will be fully operational?

HON DR R G VALARINO:

Mr Speaker, Sir, in reply to the question by the Hon Mr Restano, I think the Hon Mr Isola begs the questions. I said at the time of the Budget debate and I still feel that the anticipated time would be about September and this is, I feel, what the Hon Member asked.

HON P J ISOLA:

That means, Mr Speaker, that it will be 36 months almost to the day since we were promised one in half that time? Does he consider that a satisfactory situation?

HON DR R G VALARINO:

I feel that what is satisfactory is that the Government has taken the decision to build a new Generating Station with adequate capacity and facility for the needs of Gibraltar and that the Government has very much at heart the need of electricity in Gibraltar as a whole.

MR SPEAKER:

Next question.

NO. 123 OF 1982

ORAL

THE HON G T RESTANO

Does Government intend to enforce the City Fire Brigade and Fire Services Ordinance 1976 (No 19 of 1976), amended in March by Government majority, whereby all private dwellings are required to have Fire Extinguishers installed?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, Sir, Government intends to enforce the City Fire Brigade and Fire Services Ordinance, as amended in March, 1982, once the necessary Regulations have been made under the Ordinance.

SUPPLEMENTARY TO QUESTION NO. 123 OF 1982

HON G T RESTANO:

So that will mean that every private dwelling will be required to have fire extinguishers installed, is that correct and will it be enforced?

HON DR R G VALARINO:

Mr Speaker, Sir, the amendment to the Ordinance was an enabling amendment which empowered regulations to be made to require fire fighting equipment to be kept in private premises. The Regulations are being drafted by the Attorney-General, Sir. What Mr Restano has said will obviously follow once the regulations are made.

HON G T RESTANO:

May I know how the enforcement is to be carried out?

HON ATTORNEY-GENERAL:

Can I just clarify a point? The Regulations are with me for drafting, I cannot say I have started drafting them yet. They are on the legislative programme for drafting and I would have to look at the matter again and come back to the Hon Member on the point he has just raised.

HON G T RESTANO:

On the enforcement, but does not the Minister know how?

HON ATTORNEY-GENERAL:

I do think that is really, if you like, the nuts and bolts of the details of the Regulations. Frankly, I am not at that stage and I can look into it and come back but I think it is details rather than the policy.

HON G T RESTANO:

What I want to know, Mr Speaker, is, are Government officials going to start entering premises of private people looking round? Is that what we can expect?

HON ATTORNEY-GENERAL:

With the Hon Member's indulgence I will look into the matter and report back to him.

HON P J ISOLA:

Does Government propose to make private tenants pay for that which Government tenants receive free of charge? Silence. Does Government not know whether it will make private tenants pay for that for which Government tenants receive free of charge?

HON DR R G VALARINO:

Mr Speaker, Sir, if I remember rightly the Ordinance which was amended in March made it necessary for landlords to instal fire fighting equipment.

HON P J ISOLA:

That is not the case. I am sure the Hon and Learned Attorney-General will confirm that is not the case.

HON ATTORNEY-GENERAL:

Mr Speaker, all I can say is the enabling powers of the Ordinance allow for the charges to be laid at somebody's door, as it were. We are at that stage, as I say. It now remains to draft the details of the Regulations. I am just not in a position to give the answer straight away but I can provide the information.

HON P J ISOLA:

Can somebody then tell me whether the Government has yet decided as a matter of policy that they will make a private tenant pay for that for which a Government tenant does not pay?

HON ATTORNEY-GENERAL:

As I say, Mr Speaker, the Government will wish to see the drafted Regulations. No, I do not think they have decided that yet, they want to see what officials bring forward by way of draft Regulations before they decide that.

THE HON J BOSSANO

Can Government state the number of apprenticeships available in the public sector this year, the number of applicants and what alternative employment or training it is planned to offer to unsuccessful applicants?

ANSWERTHE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Mr Speaker, the number of apprenticeships being offered in the public sector this year is 21.

102 applicants have sat the Apprentice Entry Exam, but it is not yet known how many have been successful.

As was done last year, it is intended to offer one year's basic training in the construction trades, at Landport Training Centre, to applicants who are successful in the examination but to whom it is not possible to offer an apprenticeship.

With regard to employment for unsuccessful applicants for apprenticeships, the Youth and Careers Service of the Department of Education will continue its unceasing efforts with employers to find openings in which youngsters can be placed. The very good work being done in this respect is reflected in the number of registered unemployed youths which stood at 110 in December, 1981, had been reduced to 29 at the end of May, 1982, and now stands at 51. In fact, during this period 178 youngsters have been found employment.

SUPPLEMENTARY TO QUESTION NO. 124 OF 1982

HON J BOSSANO:

Mr Speaker, is the Government then saying that it is satisfied that the provisions that it made last year for the basic training in the construction trade have proved a success and that therefore they do not need to go beyond that?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I think it is a bit early to say whether it has proved a success because last year there was not any incentive at all and the incentive was introduced much later during the year. We hope to gauge how successful it is this year now that the incentive is known but the department has other plans in this connection for the training of youngsters which I am not prepared to give here without first consulting my colleague.

HON J BOSSANO:

This incentive, Mr Speaker, that the Hon Member is talking about is the payment of £10 a week while the people are undertaking the training, is that correct?

HON MAJOR F J DELLIPIANI:

Yes, Mr Speaker.

HON J BOSSANO:

Does the Minister not know that in fact in the United Kingdom it is common practice to pay school leavers who are unemployed what we would call in Gibraltar the non-householder rate of supplementary benefits and that in fact it would be considered a ludicrously low incentive to expect people to be interested in working for £10 a week? Does he not think that this reflects the United Kingdom position that I have just said?

HON MAJOR F J DELLIPIANI:

Sir, I am trying to deal with this question as the finances of Gibraltar stand, we have not got the resources that the United Kingdom has.

HON J BOSSANO:

Does the Minister not accept that it is a Government responsibility to organise the economy of Gibraltar in such a way that there is employment available for school leavers and that if the Government is failing to do this, the responsibility of supporting them should not fall on their parents once they have reached school leaving age?

HON MAJOR F J DELLIPIANI:

I think that is, Mr Speaker, with respect, out of the context of the question. The question does not refer to the economy of Gibraltar.

HON J BOSSANO:

Mr Speaker, the Hon Member has opened the question, surely, by talking about the resources of Gibraltar, I have done it as a supplementary in following the answer he has just given me. I would ask the Government whether in fact as a matter of policy, as a matter of political philosophy, they accept that it is a Government responsibility to provide education, training and employment for people once they leave school? Is that the philosophy to which they subscribe or not?

HON CHIEF MINISTER:

May I intervene here and say that I am sure that all western countries abide by philosophies that they cannot implement as matters of Government.

HON J BOSSANO:

Mr Speaker, the Hon and Learned Member must recognise that whether it might be difficult in implementing the philosophy, the philosophy is not there in the first place. There is no hope of doing it and I am trying to establish whether the Government is committed to a

programme of providing jobs for school leavers, hopefully for all school leavers, but certainly that the objective of Government is to organise the employment market in such a way that there are opportunities for either jobs or training for people when they leave school. Is that the objective of Government or not?

HON CHIEF MINISTER:

The objective of Government must be to provide the best possible services to all the community and we have not got a determined philosophy on that, it is pure practical good government to provide that if it is possible. The Hon Member is not unaware of quite a number of other factors affecting the economy of Gibraltar which has been taking the time of the Government and everybody concerned of vital issues and which affect very seriously the economy before the Government could commit itself to a policy like that. I share the aim entirely, of course, we do, I share the aim that everybody should have a proper place to live in and a proper place, I won't say good cars because I think everybody has one, but I certainly say that we share that but the objective is one thing and the practical implementation is another.

MR SPEAKER:

Next question.

THE HON P J ISOLA

Sir, will Government consider:-

- a) negotiating with local banks in order to allow pensions to be paid where appropriate by way of bankers orders
- b) making use of the Key and Anchor premises for the payment of pensions

and thus ameliorate the situation whereby rather large queues form at the Department of Labour and Social Security?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Mr Speaker, with regard to (a), this is something to which attention is being given. Arrangements are already in hand for the Department of Labour and Social Security to have its own bank account. In due course it is hoped to make a start on paying at least some beneficiaries by direct credit to their accounts, with a view to reducing the number of beneficiaries calling at the department to receive payment in cash.

The second suggestion - ie making use of the Key and Anchor premises for payment of pensioners - is also being considered.

THE HON J BOSSANO

Can Government state what is now the likely transfer date of the Gibraltar and Dockyard Technical College to the Gibraltar Government?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Mr Speaker, it is not possible to give a date for any transfer of management for the Gibraltar and Dockyard Technical College from MOD to Gibraltar Government.

There are several matters which need to be resolved before the transfer can be effected. These include administrative arrangements, transfer of buildings and land, running expenses and other related factors which are still under consideration.

SUPPLEMENTARY TO QUESTION NO. 126 OF 1982

HON J BOSSANO:

Would I be correct, Mr Speaker, in deducing from that answer that there is no likelihood of the transfer taking place then for the next academic year, the one starting in September?

HON MAJOR F J DELLIPIANI:

I can definitely say yes, that there won't be a transfer in September.

HON J BOSSANO:

Would the Hon Member agree with me that it would be undesirable that the transfer should take place in the middle of the year? That is that the ideal transfer should be one that coincides with the opening of a new academic year for the reasons that he has given about administrative arrangements and so on. Does he agree that that is a desirable objective?

HON MAJOR F J DELLIPIANI:

Desirable yes, but if we can do it sooner and it coincides with a term we would do it sooner.

HON A T LODDO:

Mr Speaker, in these negotiations is Government pressing for the College to have access to the sea as hitherto?

HON MAJOR F J DELLIPIANI:

I am not aware because I am not involved in negotiations over land.

HON A T LODDO:

Mr Speaker, if I could clear this matter up. I have been given to understand that it is the intention to fence off the College from the sea so that the College will not have direct access to the sea on the side so could I ask the Minister in these negotiations to ensure that the College will continue to enjoy the facilities it has at present?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I think this is a matter that will have to be looked into in connection with the transfer of land.

HON A T LODDO:

Mr Speaker, can I ask, who is actually conducting these negotiations?

HON MAJOR F J DELLIPIANI:

The Attorney-General.

MR SPEAKER:

Next question.

NO. 127 OF 1982

ORAL

THE HON J BOSSANO

Will Government consider altering the system of grants for further education this year to ensure that all school leavers who obtain the minimum entrance requirements to qualify for a statutory grant in UK will be able to obtain a grant in September?

ANSWER

THE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Mr Speaker, as I indicated in answer to a similar question in July, 1981, the Government does not propose to change present legislation to enable any students who obtain the minimum entrance requirements for admission to an establishment of Higher Education in the UK to be given a statutory grant in Gibraltar. At the present time the Educational Awards Regulations provide for minimum academic standards, based on Advanced Level results of the General Certificate of Education, for a mandatory award to be granted in Gibraltar to enable a student to pursue a degree course in the UK. This system has been working well for some years.

SUPPLEMENTARY TO QUESTION NO. 127 OF 1982

HON J BOSSANO:

Mr Speaker, that is a matter of judgement whether it has been working well. Can I ask the Member whether he accepts that in fact the system that he is so proud of gives less opportunity to school leavers in Gibraltar than their equivalents in UK have to obtain higher education? Is this a fact or is it not a fact?

HON MAJOR F J DELLIPIANI:

Mr Speaker, whether it is a fact or not a fact I am not going to change the regulations. Quite apart from the educational merits of ensuring satisfactory academic standards before granting scholarships, it should be noted that any change in policy along the line suggested in the question will result in a significant increase in current expenditure on scholarships and that all students gaining a place at University/Polytechnic in the United Kingdom would then be given an award. Establishments of higher education in the United Kingdom are desperate to recruit students at the present time and some Universities/Polytechnics accept students with very minimum standards in their Advanced Level examinations in order to boost in Government figures to attract relevant grants from University Grants Committee. This results in mediocre standards in some cases and a high wastage something which Gibraltar cannot afford in relation to the existing Scholarship Fund.

HON J BOSSANO:

Mr Speaker, is the Hon Member aware that that invalid and fallacious argument which has been used since 1973, has in fact been proved by the performance of people that his department has considered mediocre who have done brilliantly subsequently one of whom was recently in Gibraltar and hosted a Civic Reception? Is he aware of that? At his own expense, I may say.

HON MAJOR F J DELLIPIANI:

Mr Speaker, there is always the exception that breaks the rule.

HON J BOSSANO:

And then his philosophy as Minister for Education, Mr Speaker, is, that he would rather squash the exception that breaks the rule and deprive one brilliant Gibraltarian of an opportunity for further education in order not to give possible opportunities to what he considers to be mediocre students? Is that the position? Mr Speaker, would the Hon Member not agree that irrespective of the fact that I have been raising this every year and I intend to do so for as many years as I am in the House, the increasing difficulties

HON CHIEF MINISTER:

On that side.

HON J BOSSANO:

On this side, yes, when I am overthere I will do it myself. I hope that it won't require my having to be over there to get it done, Mr Speaker. Would he not agree that the difficulties that we are facing in the employment market enhance the attractions of being able to give more people the opportunity to go and study abroad and possibly find employment abroad with better qualifications? Does he not agree that that is a factor new in Gibraltar because we are facing increasing unemployment, which enhances the attraction of the system I have been urging him to adopt for eight years?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I do not agree.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Further to Question 300 of 1981 will Government make a statement regarding their alternative plans for re-habilitation?

ANSWERTHE HON THE MINISTER FOR EDUCATION AND
LABOUR AND SOCIAL SECURITY

Mr Speaker, the purpose of the training and treatment of convicted prisoners shall be to encourage and assist them to lead a good and useful life. These are the objectives of the British Penal System which we follow.

The present regime in our Prison is geared to try to achieve these objectives. I say 'try to achieve' because the final rehabilitation of a convicted prisoner is a very long term matter which is influenced by a whole spectrum of socio-economic factors.

The training of prisoners is encompassed in a programme of work and learning. Work involves a steady flow of labour, both intra and extra mural. Currently inmates are performing work for the Public Works Department in the form of clearing areas in the Upper Rock normally used by picnickers, as well as two cemeteries. They have also removed overgrown foliage and white-washed road kerb-stones. This work is of a recurrent nature.

In the very near future inmates will be trained in four basic construction trades, that is, carpentry, plumbing, bricklaying and painting. A Prison Officer has undergone training both locally and in the United Kingdom and is now virtually ready to commence the training programme.

On the aspect of treatment of inmates, the regime caters for different classifications which the inmate attains through good industry and behaviour. 1981 saw the introduction of a Special Wing to which all prisoners who have served over a year in Prison and who are considered by the Superintendent to be of good behaviour are eligible and may enjoy extra privileges.

Physical education also forms part of the regime and inmates attend the Garrison Gymnasium twice weekly. There are plans for them to attend the Nuffield Swimming Pool during the summer season where they will be taught how to swim and also life-saving. The Government is considering embarking on the creation of facilities for physical education within the precincts of the Prison.

As can be seen from the above the Prison regime is strictly geared to the rehabilitation of the offender. Alternatives to the current rehabilitation programme will be carefully considered and put into effect once other penal systems develop new ones.

The privileges and rights of remand prisoners are governed by existing regulations which make no distinction between the standard of accommodation to be provided for convicted and remand prisoners. Once facilities are improved within the detention area of the Prison the question of up-dating the privileges of remand prisoners may be looked into. The ones currently in force are quite adequate.

It is now known that no funds will be provided by ODA to construct a new Prison. The Government have appointed an Ad Hoc Committee which is looking into the question of producing feasible plans to improve the existing facilities. The Committee has met on a number of occasions and has already studied drawings submitted by the architects. They have also discussed proposals put in by the Prison Council, the Chairman of the Prison Board and the Superintendent. These proposals are currently being studied.

SUPPLEMENTARY TO QUESTION NO. 128 OF 1982

HON A J HAYNES:

Mr Speaker, in answer to question No 300 of 1981 I was told that: "If the aid submission failed, consideration would be given to the implementation of alternative plans for rehabilitation of the existing facility". I took that to mean that these alternative plans already existed. If they do exist, what are they?

HON MAJOR F J DELLIPIANI:

Alternative plan. I have just given you the answer. The funds are not there, we are now discussing it.

HON A J HAYNES:

But there are no alternative plans. They have now appointed an Ad Hoc Committee, am I correct to think that there were no alternative plans in existence, they are now being put forward? Is that a correct assumption?

HON MAJOR F J DELLIPIANI:

The correct assumption is that we needed a new Prison, ODA have not given us the money and we have a Committee, it is about six months old I reckon, which has been studying different plans and drawings and evidence from different people as to how to make the best use of the present Prison with certain modifications which will be, we hope, cost effective in terms of the end project.

HON A J HAYNES:

Mr Speaker, in my question I asked at one stage: "What are the alternative plans for rehabilitation that the Minister referred to in his answer as a proviso if and when ODA is not granted?" I was told: "Sir, I am not prepared to disclose them at this stage of the proceedings". What are they? Do they exist or don't they?

HON MAJOR F J DELLIPIANI:

I have just said it in my last paragraph. There is a Committee looking into it.

HON A J HAYNES:

Mr Speaker, I am afraid that does not answer my question.

MR SPEAKER:

I think the answer is it is being considered and in due course you will be told.

HON A J HAYNES:

Mr Speaker, am I correct in assuming that the answers to Question No. 300 were misleading?

MR SPEAKER:

I completely and utterly agree with you, you are no further than you were then but I do not think that Government is in a position now to tell you what you want.

HON A J HAYNES:

Am I correct, Mr Speaker, in assuming that in answer to Question No. 300 in December of last year I was lead to believe that these plans existed and for some reason or other I was not being told and now I am being told they are now going to be made up? There was nothing in existence in the time of the question?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I mentioned it. We have the plans which the Committee is studying, there are a number of options and we are studying which is the best option.

MR SPEAKER:

Next question.

NO. 129 OF 1982

ORAL

THE HON P J ISOLA

Sir, can Government state whether there is a limit imposed administratively on the number of taxi licences that can be issued and if so whether this limit is in fact fully taken up?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Sir, the limit imposed administratively is 112 taxi licences, all of which are at present taken up. The Transport Commission will review the situation as and when circumstances arise.

SUPPLEMENTARY TO QUESTION NO. 129 OF 1982

HON P J ISOLA:

Mr Speaker, am I wrong in thinking that in fact there were 115 taxi licences at one time? There are now 112 and there are 3, in fact, that are not taken up.

HON H J ZAMMITT:

According to my information, Mr Speaker, I am informed that all the licences of 112 are at present taken up.

MR SPEAKER:

You are being asked whether the number is 115.

HON H J ZAMMITT:

I do not know, the information I am given is that it is 112 all of which are taken up. I am not aware that there were 115 and there are 3 not taken up.

HON P J ISOLA:

Can I ask the Minister to inquire with regard to one particular licence that was taken away because the taxi driver concerned was convicted in the United Kingdom, I believe, in relation to a drugs offence? Has that licence been given to somebody else?

HON H J ZAMMITT:

I am afraid I am not aware of that, Mr Speaker, but if the Hon Member will allow me I will inquire into that and I will let him know, but I am not aware.

HON CHIEF MINISTER:

Mr Speaker, my recollection is that there were 113 never 115 and, in fact, I think he is right in the question of one having been lost by those circumstances, whether it has been given or not I do not know.

HON P J ISOLA:

Could I ask the Minister, Sir, to inquire into that and possibly suggest to the Transport Commission, they might consider granting if, in fact, the limit was 115 they might consider granting the licences that are not taken up to people who apparently have been victimised by taxi owners for having had the temerity to apply for a taxi licence for themselves?

HON H J ZAMMITT:

I will certainly inquire, Mr Speaker. The essence of the question, of course, did not lead me to suspect that the Hon Member was after any information but I will certainly look into it.

HON P J ISOLA:

Mr Speaker, will the Minister, if that is so, and the reason I asked the question was really to find out whether in fact there were more licences that have not been issued but were available and to ask the Government to move on what appears to me to be occurring in that area of unfair treatment of people whose livelihood is the driving of a taxi?

HON H J ZAMMITT:

I will certainly look into it, Sir.

MR SPEAKER:

Next question.

NO. 130 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government legalise Citizen's Band on similar lines to the UK?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Sir, the Wireless Officer has been in correspondence with the relevant authorities in the United Kingdom and is currently studying the implications of introducing Citizen's Band Radio in Gibraltar. When this study has been completed the matter will be submitted to the Government for consideration.

SUPPLEMENTARY TO QUESTION NO. 130 OF 1982

HON MAJOR R J PELIZA:

Mr Speaker, does the Minister have any idea of when that will be?

HON H J ZAMMITT:

When we get a reply from our investigations in the UK, Sir.

HON MAJOR R J PELIZA:

Which is, six months, six years?

HON H J ZAMMITT:

Well, it depends how rapidly UK react, Mr Speaker.

MR SPEAKER:

Next question.

NO. 131 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, will Government consider as an incentive for day trippers coming from Tangier negotiating with the operators of services between Tangier and Gibraltar a reduction of £10 in the return fare for day trippers from Tangier and give some assistance in order to achieve this?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Sir, in the light of the continuation of a closed frontier situation Government will consider what measures, if any, can be taken to further assist the Tourist industry.

SUPPLEMENTARY TO QUESTION NO. 131 OF 1982

HON MAJOR R J PELIZA:

Sir, from this particular question of encouraging people to come over from the other side of the Straits because the fare is more attractive, will the Minister address himself to that particular question?

HON H J ZAMMITT:

Mr Speaker, there already exists reduction for day excursionists within the Bland Group of companies both on the Viscount and on the Mons Calpe for day excursionists in groups. The Hon Member may have noticed that only yesterday, I think it was, there was an article in the Chronicle whereby Trans Tour had reduced the fare from £20 to £13 for day excursionists. A move is being made in that direction. This has been mooted before, this particular direct subsidy but one has to be very careful and we are warned of being careful in the manner, if ever we were to do this, in not subsidising foreign operators so one would have to be very, very careful how one would have to do this. It is a matter which we certainly will look at, Mr Speaker. We have looked at it in the past, I am afraid, we were not at all very encouraged by the reports we received from the people affected.

HON P J ISOLA:

Mr Speaker, may I ask the Minister, having regard to the rather serious situation brought about by over-stocking and other matters, doesn't the Minister recognise the need to take some urgent measures, this is one of them, to stimulate people coming into Gibraltar on a daily basis during the present tourist year?

MR SPEAKER:

I think you are pre-empting the next question. With due respect, let us wait for the next question.

THE HON A T LODDO

Mr Speaker, will Government implement short term measures to stimulate trade in Gibraltar during this summer and in this connection will they launch a summer campaign to attract visitors from Morocco during July and August?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Sir, the Tourist Office will continue with its sales visits to Tangier, which are carried out regularly, and will look into the possibility of launching an additional short-term advertising campaign for this summer.

SUPPLEMENTARY TO QUESTION NO. 132 OF 1982

HON P J ISOLA:

Mr Speaker, I wanted to say because as it was in connection with the other question, having regard to the urgent need to do that, does not the Minister think that something dramatic like a reduction, a good reduction in daytrippers' fares from Tangier, Morocco would do the trick?

HON H J ZAMMITT:

As I said, Mr Speaker, in the context of my general answer to the previous question, I think it has already been done. As I said, Bland have a reduced fare for groups and we found that Trans Tour only yesterday came out with a reduced fare of £13 return for day-shoppers and may I say also that the shopping time extended from 9 in the morning until 6.30 in the evening as opposed to the midday until 4 o'clock. So something is being done, Sir.

HON P J ISOLA:

May I just ask that on that, isn't there a need to encourage individuals rather than groups because the group trips do they not get involved mainly in Rock Tours?

HON H J ZAMMITT:

I do not think from Morocco, Mr Speaker, not the Moroccan and I say that as a nationality, not the Moroccan, the Moroccan is known to come here and purchase. Possibly so in the case of Germans or Americans who could well be in Tangier, possibly so but the Moroccans if they came in groups and they can easily achieve a group not with much difficulty.

HON MAJOR R J PELIZA:

Can the Minister think of other measures that might be taken to encourage people to come over, not just cheaper fares? Has there been a special campaign conducted to attract them over perhaps in

conjunction with the traders who are supposed to have over stocked themselves? In conjunction with them, forms of sales and things like that to make them come especially for the purchases? Has anything in that respect been done by the Minister?

HON H J ZAMMITT:

Mr Speaker, the Tourist Office has in the past been going over to Tangier and running campaigns in conjunction with tour operators and travel agents. I agree we should pep it up this year for obvious reasons, we should try and stimulate further traffic to Gibraltar and we are doing that. As I said in answer to my question we will be going as far down as Rabat and the like and advertising in the Journal de Tangier.

HON MAJOR R J PELIZA:

Mr Speaker, bearing in mind that there is urgency about this because summer is half way through now you might say, by the time you start the campaign, would he perhaps contact those traders who are over-stocked and in conjunction with them, suggest that perhaps in advertising which also advertises "sale", a major sale in Gibraltar would attract them?

HON H J ZAMMITT:

Sir, I should report that only yesterday we did hold a meeting with the Chamber of Commerce. There seems to be very good working relationships with the Chamber of Commerce to try and attract as much tourism as possible to Gibraltar not only from Tangier.

HON P J ISOLA:

Let me labour on that position. I may be very ignorant on this but, as I understand a group travel fare as sold by, for example, one of the operators Bland, does that not include in the price a Rock Tour and a meal?

HON H J ZAMMITT:

No, not necessarily. You can get a group travel that would give you lunch, for arguments sake at the Rock Hotel, and a Rock Tour but you do get a shopping tour to Gibraltar.

HON P J ISOLA:

Isn't it desirable to encourage the individual reduction in fares? This is what I am getting at.

HON H J ZAMMITT:

Possibly so.

MR SPEAKER:

No, we are beginning to debate, with due respect. Next question.

THE HON A T LODDO

Mr Speaker, will Government make immediate provisions for trolleys at the Arrival Hall of the New Air Terminal which are clearly required for the convenience of passengers and especially elderly persons or alternatively provide a portorage service?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Sir, fifty baggage trolleys for the Air Terminal were offered free of charge by two local firms and this was agreed to in April. They are expected to arrive in the very near future. In the meantime, as much assistance as possible is being given to the elderly and handicapped passangers.

SUPPLEMENTARY TO QUESTION NO. 133 OF 1982

HON A T LODDO:

Mr Speaker, if there is no portorage service how is this assistance being offered to elderly persons?

HON H J ZAMMITT:

Mr Speaker, the Tourist Office has two men permanently at the Air Terminal and whenever any elderly person is seen, assistance is provided by the Tourist Office or may I say, equally by Blands.

HON A T LODDO:

Mr Speaker, whatever Bland do is entirely up to them, what the Government does is what concerns us here. Are these two men employed by the Tourist Office not in fact in charge of the doors so that people do not go into the Arrival Hall instead of out and if they are at the door, as I always see them, how on earth can they help people with their baggage?

HON H J ZAMMITT:

I am not aware that the two Tourist Office men are at the door to stop people going in. The system now works completely different as it was working only a month ago. We have a senior Tourist Office official there now, the moment somebody is seen with a certain age, of course, assistance is as far as possible provided but we will be having the trolleys, I hope very, very quickly.

HON MAJOR R J PELIZA:

Mr Speaker, it is not just a question of age, there are people who are really incapacitated who, obviously the individual there who is paid by the Government cannot

MR SPEAKER:

Let us ask questions, we are debating.

HON MAJOR R J PELIZA:

Mr Speaker, wouldn't it be a good idea to have a notice there, somewhere, indicating that people who are incapacitated for one reason or another of being able to handle their own luggage can call at the counter and get assistance? Wouldn't that be a good idea?

HON H J ZAMMITT:

It is possible, I will think of that, Mr Speaker.

HON A J HAYNES:

Would the Minister also consider providing a large trolley or trolley type machine to carry a number of suitcases?

HON H J ZAMMITT:

Where from?

HON A J HAYNES:

From the point where the baggage is received to the exit at the door, as an interim measure?

MR SPEAKER:

We are getting into details. Next question.

NO. 134 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government release the figure of applicants on the Waiting List as at 28/6/82 giving the number in respect of the various categories ie four rooms, three rooms?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Sir, the total number of applicants on the Waiting list as at 28 June, 1982, is 1808, made up as follows:-

<u>B/S</u>	<u>2RKB</u>	<u>3RKB</u>	<u>4RKB</u>	<u>5RKB</u>	<u>6RKB</u>
168	419	678	476	60	7

THE HON A J HAYNES

Sir, will Government state how many 'social cases' have been granted accommodation in the last six months and how many approved 'social cases' are now waiting to be granted accommodation and will Government give a list of the buildings where accommodation has been granted?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Sir, twenty social cases were accommodated in pre-war accommodation as recommended by the Housing Advisory Committee during the last six months as follows:-

- 7 at Red Ensign House
- 1 at 15 Town Range
- 1 at 39/41 Town Range
- 2 at North Gorge Hostel
- 2 at 2/8 Road to the Lines
- 2 at 23/25 Willis's Passage
- 1 at 37 Castle Ramp
- 1 at 4/12 Lopez's Ramp
- 1 at 3/5 Demaya's Ramp
- 1 at 6/1 Parody's Passage
- 1 at 2 McPhail's Passage

There are at present fifty-one social cases waiting to be offered pre-war accommodation, following the recommendations of the Housing Advisory Committee.

THE HON A J HAYNES

Sir, will Government consider publishing a list of applicants who are granted accommodation at new or modernised premises giving their pointage?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Yes, Sir, but only in those cases where accommodation has been actually allocated on points.

SUPPLEMENTARY TO QUESTION NO. 136 OF 1982

HON A J HAYNES:

Can the Minister explain?

HON H J ZAMMITT:

We cannot obviously give points out in the case of medical category or reallocation after decanting, Government quarters or exchanges.

HON A J HAYNES:

Can the Minister then not give the pointage in those cases but beside the names of the lucky or successful applicant put medical category, Government quarter, to give an indication?

HON H J ZAMMITT:

No, Mr Speaker, I am afraid I have had this question in this House many times before, there is opposition to the publicising of people's illnesses or ailments and there is strong opposition to such a list being provided of people who do not want to make known their serious illnesses.

HON A J HAYNES:

Mr Speaker, I do not think it is giving away an illness to say Government quarter.

HON H J ZAMMITT:

A Government quarter, I agree to that.

HON A J HAYNES:

In other words, you are going to give the pointage on the basis of the successful application in all cases except for medical category?

HON H J ZAMMITT:

Well, or exchanges. It would be futile. There would not be points in the question of exchanges if people want to exchange with each other. There would be no pointage at all so you could not give a pointage as the question is phrased.

HON A J HAYNES:

To clarify the position, Mr Speaker. A list will be published giving the pointage of the successful applicants stating in the case where a Government quarter has been allocated that it is a Government quarter and missing only the cases where exchanges have resulted in a new house and the medical category. All other cases will be listed as such, including social cases, Family Care Unit Report cases?

HON H J ZAMMITT:

Well, social cases will not be in post-war accommodation, it would be in pre-war accommodation.

MR SPEAKER:

Next question.

NO. 137 OF 1982

ORAL

THE HON A J HAYNES

Sir, is Government aware of the living conditions at 15 Town Range and will Government state whether they propose to effect any repairs therein in the period of this financial year?

ANSWERTHE HON THE MINISTER FOR HOUSING AND SPORT

Mr Speaker, Government is aware of the living conditions at 15 Town Range and some work is currently in hand. This involves the repair of a ceiling in an empty flat and floorboards to another flat. The parapet to the flat roofs are being repaired as well as a number of cracks in the walls in the external areas. During the course of the year further repairs will be effected to the flat roof of the building.

SUPPLEMENTARY TO QUESTION NO. 137 OF 1982

HON A J HAYNES:

Mr Speaker, is Government intending to introduce water meters or any other repairs other than the ones listed?

HON H J ZAMMITT:

Yes, Mr Speaker, we intend to put water meters into the individual cubicles.

MR SPEAKER:

Next question.

NO. 138 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, can the Minister say whether the surfacing work on Tank Ramp has now been completed?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the final road surfacing at Tank Ramp is about 75% complete and will be finished once the backlog of urgent road repairs has been carried out. The PWD asphalt plant has been working at full capacity for several months on works connected with the anticipated re-opening of the frontier, together with playgrounds, access roads and car parks at the new Girls' Comprehensive School and at St Jago's Housing site.

SUPPLEMENTARY TO QUESTION NO. 138 OF 1982

HON A T LODDO:

Mr Speaker, is the Minister prepared to give us yet another completion date for Tank Ramp?

HON M K FEATHERSTONE:

I can only say, Sir, that it was not considered that Tank Ramp was so urgent that other jobs which we considered should have greater priority should be put back.

HON A T LODDO:

Mr Speaker, I have been in this House now just over two years and I keep getting jogged off with these answers. Can the Minister give us yet another completion date? Is he in a position to give us a completion date at any time?

HON M K FEATHERSTONE:

I would hope, Sir, by the next meeting of the House if the Hon Member wishes to ask has it been completed I will be able to say yes, Sir.

THE HON A J HAYNES

Sir, will Government state the position as regards modernisation and/or repairs of Hargrave's Parade in the light of the Minister's statement during the examination of estimates at the Budget meeting of 1982?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, all drawings for the provision of 17 kitchens and bathrooms are 95% complete. Bills of Quantities or Schedule of Rates will then proceed, with tender invitation following, dependent on availability of funds.

SUPPLEMENTARY TO QUESTION NO. 139 OF 1982

HON A J HAYNES:

Mr Speaker, as I understood at the Budget I was informed that this would be done this year. Is this still the proposal of Government?

HON M K FEATHERSTONE:

Depending on the availability of funds I would say yes, Sir. It is hoped that we will have the funds this year, I cannot promise definitely.

HON A J HAYNES:

Does that mean that this year work will commence to completely modernise Hargrave's Parade?

HON M K FEATHERSTONE:

Sir, if we get the funds we will provide each of the flats with a new kitchen and bathroom self contained in the flat itself, it may not be complete modernisation but it will be a very great improvement.

HON A J HAYNES:

When will the Minister know whether or not funds will be made available?

HON M K FEATHERSTONE:

I should think later in the year, Sir.

HON A J HAYNES:

When, Mr Speaker?

HON M K FEATHERSTONE:

As I said, later in the year, when we see how our funds are.

THE HON A T LODDO

Mr Speaker, what are Government's plans for the re-provisioning of the four tennis courts demolished at USOC to make a coach park?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government has no plans for the re-provisioning of these four tennis courts. The land was made available by MOD as it was surplus to their recreational requirements. It should also be noted that the courts had remained unused for about a year.

Once the area has been resurfaced, the site will be used as a car park. It will be particularly useful in view of the proposed pedestrianisation of Main Street.

SUPPLEMENTARY TO QUESTION NO. 140 OF 1982

HON A T LODDO:

Mr Speaker, does not the Government agree that the reason why tennis courts remained unused was because the Naval authorities refused to allow people to use them? Does not the Government also agree that there is a need for more tennis courts in Gibraltar for the use of the civilian population? Would they be prepared to reprovide if not the four tennis courts at least two?

HON M K FEATHERSTONE:

Sir, Government is not responsible for the decisions made by the MOD with regard to land which was at that time in their possession. I would accept that there is a need for more tennis courts as there is a need for many more sporting facilities and I do believe that perhaps in the future it may be possible to provide some tennis courts at the Victoria Stadium. However, there is also a need, I am sure the Hon Member will accept, for car parking and should the frontier open there will be a need in this area for coach parking so that to revert back to tennis courts would not be really a very good idea.

HON A T LODDO:

Mr Speaker, whilst accepting that it would not be practical to revert the USOC to tennis courts, my question is reproviding or reprovioning these tennis courts elsewhere?

HON M K FEATHERSTONE:

I think, Sir, that the agreement with MOD initially had been considering the taking over of the hockey pitch which did call for reprovion but I do not think there was a need for reprovion of the tennis courts elsewhere.

THE HON P J ISOLA

In view of the fact that the frontier is not to open, does Government propose to go ahead with its plans for pedestrianisation of Main Street and if so will Government consider making exceptions in respect of:-

- a) hotels in the pedestrianisation areas
- b) aged, sick and infirm people living within the pedestrianisation areas?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government would like to go ahead with its plans for the pedestrianisation of Main Street (and all the side streets included in the proposals), as well as the Cornwall's Parade development, as part of its programme to improve the tourist product.

Government is currently studying representations made by individuals and Associations in response to the proposals presented to the general public at the exhibition that was staged at the John Mackintosh Hall during the second week of May, 1982. The proposed exceptions referred to in the question are included in this study.

A reply is still awaited on the project application made to ODA.

NO. 142 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, was permission given to the Contractor carrying out the modernisation of properties in Road to the Lines, to dump rubble and other waste building materials over the old Moorish Castle walls and into King's Lines?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, some tipping of rubble has been allowed in order to level a piece of ground. The ground will be tidied and landscaped by the Contractor upon completion of the works.

Waste building materials are either burnt or carted away.

SUPPLEMENTARY TO QUESTION NO. 142 OF 1982

HON A T LODDO:

Mr Speaker, I cannot agree with the Minister. Has the Minister been up there to see? There are several tons of rubble which have almost buried the walls and which, I can assure the Minister, are a danger to those walls which could collapse under the weight. This rubble extends now onto King's Lines. Is the Minister aware of this? Has the Minister been to see this?

HON M K FEATHERSTONE:

I have not been up there for some time, Sir, I am very interested in the Hon Member's interest in this. I will send somebody up to check into it straight away and I will go myself at the same time and have a look at it.

HON A T LODDO:

Mr Speaker, if the Minister would like me to go with him I would be only too pleased to go along.

HON M K FEATHERSTONE:

Very kind of you.

NO. 143 OF 1982

ORAL

THE HON J BOSSANO

Can Government confirm that it is no longer willing to fulfil the commitment given to tenants of Tankerville House that their balconies would be replaced by new ones?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government is looking into the representations made by the tenants of Tankerville House, in respect of a solution to the problem of the balconies.

SUPPLEMENTARY TO QUESTION NO. 143 OF 1982

HON J BOSSANO:

Mr Speaker, has Government not in fact already informed the tenants that it is not in a position to replace the balconies and is it not a fact that the Government had made arrangements for employees of the Public Works Department to remove the balconies?

HON M K FEATHERSTONE:

Sir, there is a certain amount of doubt insofar as whether Government made a commitment to the tenants to replace their balconies. Even if such a commitment had been made, Government must always be in a position to have a re-think on the matter considering, firstly, the cost of such a commitment if it had been made, and secondly, the practicality of the situation. The situation actually was that Government was going to commence the removal of the balconies but since the tenants made representations this work has been put off until we can come to some solution of the problem.

HON J BOSSANO:

So am I right, Mr Speaker, in inferring from that answer that the position of the Government is that they still have an open mind on the subject?

HON M K FEATHERSTONE:

I have been chivied by my Hon Colleague here to give a reply of "Yes Minister" - yes and no. The basic situation, Sir, is that if we were to replace the balconies the cost would be almost prohibitive. If we were to remove the balconies it would be very much cheaper. As I have said, the situation is still being discussed with the tenants who, I would comment, have had this balcony area rent free completely. I would not like to commit Government one way or the other at the moment. We still have, to some extent, an open mind although we would basically prefer to remove the balconies as such.

HON J BOSSANO:

Mr Speaker, but in fact, if I just take the point, I welcome not the "yes and no" but the intimation that a final decision has not been taken. In fact, it is no fault of the tenant that the balconies have been rent free because in fact it is Government policy, is it not, not to charge for the space of balconies in any Housing Estate?

HON M K FEATHERSTONE:

Yes, that was so on the condition they were not living areas but in certain instances the balconies had been converted into living area and the people had been availing themselves of this facility rent free. There is the possibility that has been put to the tenants for their consideration and they have not yet replied that if they were to accept that the balcony area might be a rentable area then perhaps Government might replace the balconies.

HON J BOSSANO:

Is it not a fact, Mr Speaker, that in the case of the work that was done on the Tower Blocks, on the six flats that were treated by Government in order to alleviate the dampness as a trial thing, the areas enclosing the balconies were included in the rentable area?

HON M K FEATHERSTONE:

Yes, I think they were included.

HON J BOSSANO:

Isn't this in fact the only case where the balconies are, in fact, considered to be part of the tenancy?

HON M K FEATHERSTONE:

Since the application of rents to properties is not specifically my department I am not really sure of my ground on this.

HON P J ISOLA:

Mr Speaker, how is it that the balconies have been allowed to get into the condition that they either have to be replaced or removed? Has this been due to lack of repair and maintenance by the Government department over the years?

HON M K FEATHERSTONE:

No, I think it is a basic, I would not say fault in construction, the construction is such that the balconies have not resisted the wear of time. They are now about thirty years old and they are deteriorating very considerably.

THE HON G T RESTANO

Does the Government have a programme for exterior repainting of Crown Properties, including Government Housing, and if so which Properties have been repainted during the last six months and which are to be repainted during the next six months?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Yes, Sir, Government does have a programme for the external repainting of Crown Properties. Progress on the programme is however subject to demands for internal painting by Housing and other departments.

The following properties were painted during the last six months:

- a. Willis's House (Block of 20 flats)
- b. 27 Scud Hill
- c. Supreme Court Bailiff's Quarters
- d. St Bernard's Hospital, Children's Ward
- e. Mackintosh Hall, Front Elevation
- f. The Piazza at John Mackintosh Square
- g. Bishop Healy Home
- h. Montagu Pavilion
- i. Changing Room facilities and walls at:-
 - Little Bay
 - Camp Bay
 - Eastern Beach
 - Catalan Bay
 - Sandy Bay
- j. Four Corners Customs and new Car Park walls
- k. St Peter's School
- l. The Public Markets
- m. Woodlands, Buena Vista Road

The following properties are scheduled to be painted during the next six months:

- a. MacMillan House (Block of 18 flats)
- b. Bayside Comprehensive School
- c. Faulknor House (Block of 24 flats)
- d. Forrester House (Block of 12 flats)
- e. Sheffield House (Block of 24 flats)
- f. The Haven
- g. Heathfield House
- h. 2 Baca's Passage (Block of 24 flats)

SUPPLEMENTARY TO QUESTION NO. 144 OF 1982

HON G T RESTANO:

Mr Speaker, I notice that none of the large building estates seem to have called the attention of the department in this area. Is there any programme for, for example, Humphreys, the Moorish Castle Estate being repainted?

HON M K FEATHERSTONE:

They will come into the general programme as we go along. As far as my memory recalls I think a certain amount of Humphreys was actually painted last year.

HON G T RESTANO:

What about, for example, Laguna Estate?

HON M K FEATHERSTONE:

Well, I think, Faulknor House, Forrester House and Sheffield House are at Laguna and we will gradually work round the whole Estate.

HON G T RESTANO:

Those are three.

MR SPEAKER:

We are not going to go into details. I think they intend to do this.

HON G T RESTANO:

That is precisely what I was going to ask, Mr Speaker.

HON M K FEATHERSTONE:

Yes, the schedule in due course should cover all the properties in Gibraltar.

HON G T RESTANO:

How long does it take for all the properties of Government to be repainted?

HON M K FEATHERSTONE:

Since normally we try to paint properties once every 15 years or so I should say it is a 15 year schedule.

HON G T RESTANO:

Certain private landlords are required by law to paint the facade. If not they are subject to fines and being taken to Court. Would Government say whether they too are restricted to a 15 year period of repainting?

HON M K FEATHERSTONE:

I think in most instances where a Section 23 Notice has actually been sent to a private landlord, the property in question has not been painted, to my knowledge in many instances, for 40 to 50 years and in the majority of instances 20 to 25 years.

HON G T RESTANO:

Mr Speaker, I would concur entirely with these summonses to be issued where properties have not been repainted for such a long time but if the Government programme is once every 15 years would the Government not agree that private dwellings should also be subject to the same time schedule of 15 years?

HON M K FEATHERSTONE:

One would hope that one could give the private landlord a 15 year period assuming that there was not any abnormal dilapidation of the property but if something abnormal should occur then, of course, it is possible a Section 23 Notice might be issued earlier but as I have said the notices that have been given have been on properties which have not been dealt with for a very long time.

HON G T RESTANO:

The other question I wanted to ask, Mr Speaker, is, are there any Crown Properties which have not been painted for over more than 15 years?

HON M K FEATHERSTONE:

I would really need separate notice for that question but as an off-hand guess from the top of my head I would say, yes I think there must be.

HON G T RESTANO:

Could the Minister find out and let me know?

HON M K FEATHERSTONE:

Yes, I will do so.

MR SPEAKER:

Next question.

THE HON A T LODDO

Mr Speaker, in view of the fact that the re-opening of the frontier has apparently been postponed "sine die", would Government consider making the car park at North Front, a compulsory trailer and container park?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the car park at North Front is required in connection with the Air Terminal. Commercial vehicles, including trailers and containers are specifically excluded from this car park.

SUPPLEMENTARY TO QUESTION NO. 145 OF 1982

HON A T LODDO:

Mr Speaker, I am aware that this is the case. What I am asking is, would the Government consider making this into a trailer and container park due to the fact that trailers and containers are being parked indiscriminately all over Gibraltar which are not only an eyesore but also a danger to pedestrians and drivers alike? It is time that we had a container and car park where we would have to oblige owners of containers and cars to park there.

HON M K FEATHERSTONE:

Sir, I appreciate the situation of containers and lorries to some extent being indiscriminately parked. However, the car park that has been made at North Front is specifically for the Airport. As the Hon Member has mentioned the opening of the frontier has been postponed in his words, "sine die", we do not know whether that may be six weeks, six months or six years. We might be in an invidious position if we today made some conditions for the North Front car park to be used as a container park and then in six weeks time we found we needed it for an ordinary car park. We would have to get the containers out. The other situation is that we did get it from the RAF on the basis that it would be a car park. They may challenge us if we then start using it for other purposes.

HON A T LODDO:

Mr Speaker, would not the Government agree that if the coach park at USOC, as it was originally envisaged, will now be a car park, they can similarly treat the car park at North Front as a trailer park? Would they not agree that it is about time we had all containers and trailers in one park and not scattered all over Gibraltar?

HON M K FEATHERSTONE:

I would agree it would be very nice to have containers and trailers in one place but I do not think that the North Front car park which is specifically a car park for the Airport should be put to this purpose.

HON A T LODDO:

Mr Speaker, has the Government any idea where it wants to park its trailers and containers seeing they are all so concerned?

HON M K FEATHERSTONE:

We did have a place in Devil's Tower Road but I am afraid the lorry people and such like did not make very much use of it so some of the faults is on their own heads.

HON A T LODDO:

Mr Speaker, will the Government make it compulsory for them to park there?

HON M K FEATHERSTONE:

I would really need notice of that question, Sir.

MR SPEAKER:

Next question.

THE HON A T LODDO

Mr Speaker, when will the two parking areas on Sir Herbert Miles Road above Catalan Bay Village be completed?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, if the Hon Member is referring to the road improvement schemes opposite the Caleta Palace and St Peter's School, the position is as follows:-

(a) Caleta Palace

The sharp bend opposite the hotel has been removed to improve visibility and when the scheme is complete the road will run along the face of the new retaining wall.

(b) St Peter's School

In connection with the road improvement works, a number of new parking bays are being made available to the developer of the "La Terazza" scheme who is contributing to the cost of these works.

Most of the areas will be available for parking shortly and the rest before the end of the year.

NO. 147 OF 1982

ORAL

THE HON A J HAYNES

Sir, further to Question 321 of 1981 will Government reconsider the matter and will they state who their advisers are on matters relating to solar energy?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the question of alternative sources of energy, including solar energy, is one that is continuously under review.

The professional staff of the Public Works and City Electrical Engineer's Departments keep abreast of developments in this field through the professional institutions, research establishments and companies.

SUPPLEMENTARY TO QUESTION NO. 147 OF 1982

HON A J HAYNES:

Does that mean that no specific adviser, no expert adviser was consulted in assessing the answer given in Question No. 321 of 1981?

HON M K FEATHERSTONE:

Apart from the interest shown to us by a company in Gibraltar known as High Chaparral Ltd, we do not have any specific professional adviser.

HON A J HAYNES:

That is not the company that, in fact, gave me this idea. It originates from an expert from America, it has nothing to do with that, who suggested that this could be possible. Is the Minister aware of recent developments in solar energy which would make the catchment area feasible for solar energy?

HON M K FEATHERSTONE:

I am not sure when the Hon Member talks about solar energy what he is referring to. Solar energy can be put to a number of purposes. One of them is the heating of water, another one is the possible distillation of water, another one is the production of electrical energy. As far as the information I have at the moment, the heating of water on a moderate domestic basis is a reasonable possibility. The use of solar energy to distil water is feasible but has a very high capital cost. The use of solar energy to obtain electrical energy, at the moment, is very expensive indeed, although costs are definitely dropping very rapidly and there is a possibility as far as American advice goes that by the year 1988 or so the cost may be something down to 25 cents per volt. The price today is 3 dollars per volt.

HON A J HAYNES:

He has been reading his information from High Chaparral. Mr Speaker, in view of the answer given to Question No. 321 which was that the East side of the Rock is not geographically suited for collecting sunlight. Will the Minister, given that I have different information, re-investigate the matter and will the Minister appoint experts who are true experts in the field?

HON M K FEATHERSTONE:

If the Hon Member likes to show me the information that he has got we are willing to consider whether we should go to look for consultants or experts. One thing must always be taken with a certain measure of caution. In new ventures, consultants are very liable to vary in their advice and this is rather a new field. The information that comes to us does vary very considerably and I do not think anybody is really yet in the position to say that he is an expert on this field.

MR SPEAKER:

Next question.

NO. 148 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government state their position as regards Jumper's Building and their decision to decant the inhabitants thereof?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, in order to establish whether Jumper's Building can be repaired economically or whether the only alternative is to demolish, it is necessary to carry out further investigations of the structure which cannot be effected with the tenants living in. Government is therefore planning for the decanting of the tenants as soon as possible, but some offers of re-accommodation have been refused.

SUPPLEMENTARY TO QUESTION NO. 148 OF 1982

HON A J HAYNES:

Sir, I have some information as regards those offers which have been refused. Would the Minister confirm they are in fact correct? In effect, four offers have been made; one was offered to three people and rejected consistently on the grounds that they were offering a three room, kitchen, bathroom flat to families whose requirements were for a four room, kitchen, bathroom flat. This offer which was repeated was therefore not accepted. Similarly the only flat that has been offered separately is in relation to private dwellings belonging apparently in some way to the tenant who was offered that accommodation. Will the Minister please confirm that information first?

HON M K FEATHERSTONE:

As I have said before I am not fully au fait with the housing situation. I think my Hon Colleague might be in a better position to give you information on specific details.

HON H J ZAMMITT:

Mr Speaker, Sir, the question of a family composition being offered three rooms, kitchen, bathroom is not so. In fact, what was offered was a three/four divisible which many people have had to accept for four. The family insisted in the full four which we did not have but the Hon Member knows very well that many people up for four rooms, kitchen, bathroom are in fact offered three/four divisible and this is what was offered to this particular tenant. In the other circumstances, it so happened that there was a person living there who owns his own private accommodation and he asked Government if we would decant a sole tenant from his own property into a bedsitter which we did and because we were able to or, shall we say, in return for a bedsitter, of course, we decanted a four rooms, kitchen, bathroom.

HON A J HAYNES:

Mr Speaker, as I understand it then only one flat has been offered and one arrangement has been offered through a bedsitter offered by Government. Is the position that the tenants of Jumper's Building were informed in May of last year that Jumper's Building was to be decanted on the grounds that it was necessary for Government to make inquiry as to the structure of the building to decide whether or not it was safe?

HON H J ZAMMITT:

I am sorry, I must come in again, Mr Speaker, Sir. It is not true to say that one flat was offered. Another family composition was offered adequate accommodation but they did not like the particular area so one has to be careful when one says were they offered adequate accommodation. We offered two rooms, kitchen, bathroom to a couple at Coelho House but the couple wanted something in Hymphreys which we just did not have and nor will we have for the time being, apparently. That was another offer that was made, it was not just one offer. Four tenants have in fact been offered adequate accommodation and all offers have been rejected.

HON A J HAYNES:

Mr Speaker, can the Minister confirm that as between the Minister for Public Works and the Minister for Housing, there is a lack of coordination in this matter in that though I was informed that there is a decision to decant, the Housing Department claims that they have no instructions to decant?

HON H J ZAMMITT:

No, that is not so, Mr Speaker. There is no lack of coordination between Public Works and the Housing Department. The Housing Department has the obligation to decant people according to Government policy particularly in the case of Jumper's Building. I think it did not take us more than possibly four weeks after the original meeting to offer four tenants adequate post-war housing. All four refused. What Government and the Housing Department cannot be expected to do is or, shall I say, will not allow ourselves to be forced into, is into a position where people are going to hold the Government or the Housing Department to ransom in being selective as to exactly the location or the house of a particular choice. That may not come about and it may take years for a particular house to come about. We just have to make an offer and may I say, we have justified and I think, I would not say we excuse, we have certainly made our offer, there is no dis-coordination between Public Works and the Housing Department.

HON A J HAYNES:

Will the Minister confirm then that the Housing Department has instructions which they will fulfil to decant those presently living in Jumper's Building?

HON. H J ZAMMITT:

We will decant as and when properties become available that are adequate to house those particular tenants wherever the properties arise. Wherever they arise not at the choice of the tenants who wish to be decanted.

HON A J HAYNES: .

Can the Minister indicate what period of time he estimates will be required to finish decanting or at least to make offers of adequate housing to all those presently living at Jumper's Building? What time-scale does he put there?

HON H J ZAMMITT:

The Housing Department does not intend to decant all at Jumper's Building. We certainly intend to decant one of the two blocks at Jumper's Building. If I remember correctly, I think there are something like sixteen tenants there, I am not very sure. We will as and when suitable houses become available not into new housing.

HON A J HAYNES:

When, Mr Speaker?

HON H J ZAMMITT:

I cannot say.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Mr Speaker, would Government make a statement concerning the present position of the Gibraltar Quarry Company particularly having regard to the Principal Auditor's Report?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, as Hon Members of the House are aware, the Gibraltar Government transferred the Winning of Sand Project to the Gibraltar Quarry Company following the Certificate of practical completion, issued by the consultants Messrs Robertson's Research. Again, as all Members of the House are aware, it soon became obvious that despite the certificate of practical completion the sand winning project was presenting difficulties in respect of the chute that had been designed by the consultants.

Despite all the pressure that has been applied to the consultants the latter have not succeeded in solving this problem.

As stated in the Principal Auditor's Report for the Annual Accounts 1980/81, sand has been and is being excavated from the lower slopes and from another site further north.

The fact that the chute has been non-operational has, again as pointed out in the Principal Auditor's Report, resulted in considerable expense to the Company, and Government has been meeting claims from the Company as explained in the said Report.

The position is that the Gibraltar Government handed over in all good faith to the Gibraltar Quarry Company an undertaking that should have been totally operational, following the certificate of practical completion issued by the consultants. The fact that this has not proved to be the case has placed the Gibraltar Quarry Company in a position whereby they can only claim from the Gibraltar Government.

The Gibraltar Government has under action the enforcing of its legal rights and is obtaining a consultant's report for this purpose.

SUPPLEMENTARY TO QUESTION NO. 149 OF 1982

HON G T RESTANO:

For how long, Mr Speaker, is the Gibraltar Government going to be continuing to subsidise the Gibraltar Quarry Company? In 1980/81 it was to the tune of nearly £34,000, I do not know what it was last year. For how long is the Gibraltar Government going to subsidise the Gibraltar Quarry Company?

HON M K FEATHERSTONE:

Since the bank balance of the Gibraltar Quarry Company today is some £15,000 in the black, they are not being subsidised by Government at all.

HON G T RESTANO:

Is it not a fact, Mr Speaker, that apart from in the 1980/81 accounts the Government subsidised to the tune of £33,995 and over and above that there was £20,000 on account? I am referring to the Principal Auditor's Report for 1980/81, as I say, I do not know what it was last year, we have not had the Report yet. So in that year it was £50,000 over and above what had been given to the Company already. For how long is the Government going to be subsidising it?

MR SPEAKER:

In fairness to the Minister, I think the answer has been that the Company is not being subsidised at present.

HON G T RESTANO:

In fact, what the Minister has said is that the Company is now in the black but how is it that it is in the black, is it because Government has given it more money to be able to be in the black?

HON M K FEATHERSTONE:

Sir, I think we ought to be very clear in our minds on this matter. The Government has not given one penny to the Quarry Company. The Government has underwritten a bank overdraft. The Quarry Company has had a bank overdraft and has paid out of its own assets the interest required by the bank for that overdraft. The Government itself has not paid one penny to the Quarry Company whatsoever, all it did was underwrite the overdraft. As I have stated, that overdraft has now disappeared and the Quarry Company is in the black. The Quarry Company is very grateful to the Government for underwriting this overdraft but I do not think it can legally be said that the underwriting of an overdraft is subsidising.

HON G T RESTANO:

Mr Speaker, it says quite clearly in the Principal Auditor's Report: "During the year under review, a further £44,000 was spent on this project As the total approved grant, including supplementary grants, totalled £451,996 the balance of £33,995 had to be charged against Gibraltar funds", further it goes on to say: "Further claims have been made by the Company and a sum of £20,000 was paid on account". So perhaps the Minister would like to explain the difference that he seems to have with the Principal Auditor?

HON M K FEATHERSTONE:

I think the Hon Member is mixing his metaphors.

HON G T RESTANO:

No metaphor, Mr Speaker, I have quoted from the Principal Auditor's Report.

HON M K FEATHERSTONE:

I am using a figure of speech, I am afraid that it is over his head. The situation with regard to the sums of money paid by Government to the Quarry Company were capital outlays for work which basically should have been done originally according to the consultant's instructions and paid for by Government. In the actual fact they were paid in the first instance by the Quarry Company and were reimbursed by Government. These are the sums that will be the claim against the consultants by the Gibraltar Government. The actual running costs of the Company is where if there had been a subsidy, a subsidy would have come in, the actual running costs of the Company have never come into this question, as I said, they were kept out of a separate entity underwritten by the Government who underwrote the bank loan but, as I have already said, that is no longer necessary.

HON G T RESTANO:

Mr Speaker, apart from the sums that I have already mentioned, I notice that there are further sums which have been met by the Gibraltar Government and which have been after claims from the Quarry Company on precisely the running costs of the Company like the supplying of two conveyors.

HON M K FEATHERSTONE:

That is a capital expense, that is not a running cost.

HON G T RESTANO:

I notice, of course, that there is a difference of opinion between the Principal Auditor and the Financial and Development Secretary on that particular point as to whether it is capital investment or not. Perhaps the Minister would like to make a comment on that or answer my question, that that is running expenses?

MR SPEAKER:

No, what is the question that you are asking?

HON G T RESTANO:

That further sum of £6,683 and a further sum of £2,200 were also given in respect of the supply of conveyors and bank interest to the Gibraltar Quarry Company and this was met by the Gibraltar Government and would not this be the ordinary running cost to meet the running costs of the Company?

HON M K FEATHERSTONE:

I do not know exactly where he is quoting from, is it from this?

HON G T RESTANO:

It is indeed. It is paragraph 32, page 17.

HON M K FEATHERSTONE:

I can assure the Hon Member that no amounts of bank interest have been paid to the Quarry Company by the Government. As I have said before, the situation should be quite clear. The consultants came out, spent a certain amount of ODA money to put up a project. When the project was, according to them, completed and the ODA money was exhausted, it was found the project did not work. The consultants said "Effect this modification", the modification might have been altering the angle of the chute, it might have been the fitting in of conveyors, it might have been the fitting in of vibrators, all sorts of things. Those are capital amounts and for that the Quarry Company initially paid the money and asked Government to foot the bill. For the actual running of the Company, Government has not paid anything to the Quarry Company apart from the sand they have purchased from the Company.

HON G T RESTANO:

Mr Speaker, I am amazed, these are audited accounts of the Government. These are accounts that have been looked into, prepared by the Audit Department and they say quite clearly that £2,778 was paid in respect of interest on the Company's overdraft and here is the Minister saying that there has been no money paid. Is he questioning the Audit Department and the audited accounts? Could I have an answer to that, Mr Speaker?

HON M K FEATHERSTONE:

I will not say that I am taking issue with the Principal Auditor, I will check it up with him. It may have been that the sum of £2,000 was for capital expenditure made by the Quarry Company which had to be reimbursed by the Government. It may be that the Quarry Company in providing these conveyors which may have cost £20,000 afterwards said: "Since we forked out on, let us say, the 1st January £20,000 for the conveyors and you are reclaiming the money on the 1st June, you should pay the interest on that money".

MR SPEAKER:

With due respect to the Minister, may I suggest, did he not say before that the Government had taken on the guarantee of the overdraft?

HON M K FEATHERSTONE:

The Government guaranteed the overdraft.

MR SPEAKER:

Well, perhaps the overdraft included interest.

HON J BOSSANO:

Mr Speaker, if I can ask a question it might help to clarify the matter. Perhaps the Hon Member can either confirm or deny what I understand to be the situation. The Quarry Company is responsible

for the operation of the reclaiming of sand. The Government prior to the setting up of the operation is responsible for setting it up and consequently the Quarry Company in assessing its own viability have got claims on the Government including the question of interest because of the fact that as an operator of the facility it found itself unable to operate it due to the fact that it was not functioning as it had been intended to function. Therefore, there is a distinction between the operation of the Quarry Company as an on-going thing and the responsibility of the Government under the ODA grant to hand over to the Quarry Company a functional method of extracting sand and the Quarry Company has got claims for interest for the use of excavators for contingent liabilities arising out of the original Government commitment. Is that not the case?

HON M K FEATHERSTONE:

Yes, you are 95% correct there. I think the basic point is that the Quarry Company has, as you say, been involved with the running expenses but it has advanced money to the Government against capital expenses to try and get the plant on an operational basis. So far unsuccessfully but in those instances where the Quarry Company advanced the capital and later reclaimed from Government, I will admit they possibly said to Government: "You should pay the interest on that amount".

MR SPEAKER:

We are not going to go further. Perhaps the Minister will wish to make a statement at a later stage to clarify the position but we are not going to clarify the position by trying to suggest solutions.

HON G T RESTANO:

I did ask right at the beginning and I have not had an answer, for how long is Government going to be paying out? I have not had an answer to that. Here we are talking about the year 1980/81. For how long is Government going to be paying it?

HON M K FEATHERSTONE:

All the claims that the Quarry Company has on the Government vis-a-vis capital expenditure have now been met. The Quarry Company will, however, according to legal advice that has been given to it, both by the Attorney-General's Department and the Quarry Company's own lawyers, possibly sue the Government for various other aspects of the whole thing so that the Government can then be enjoined in an action against Robertson's Research. I understand that the correct method is that the Quarry Company should not directly sue Robertson's Research but should do it through the Government itself. The Government, of course, will also be suing on its own behalf Robertson's Research and I would add that the consultant who is going to give us advice and be our expert witness on this arrived here today.

HON G T RESTANO:

Mr Speaker, the Company also has made a claim on the Government in respect of loss of profits for £43,000. May I know on what basis?

MR SPEAKER:

No, we are not going to discuss this under any circumstances.

HON G T RESTANO:

Mr Speaker, if I may just make a point.

MR SPEAKER:

That is the difficulty in question time, you should not make a point at question time. We should ask questions.

HON G T RESTANO:

I am asking on what basis had that £43,000, because the question does ask for a statement particularly having regard to the Principal Auditor's Report and the Principal Auditor makes about five or six points.

MR SPEAKER:

Yes, but you can extract information. What is the question you want to ask?

HON G T RESTANO:

Well, the question is, on what basis has the Company made a claim on the Government of £43,000?

MR SPEAKER:

No, we are going into the intricacies of the matter. Your question is a simple one; would Government make a statement concerning the present position of the Gibraltar Quarry Company particularly having regard to the Principal Auditor's Report? We are not going to debate at question time the whole implications of the present position of the Quarry Company, is it the Government or the consultants?

HON G T RESTANO:

I only have two more points to ask.

MR SPEAKER:

No, let us go on to the next one:

HON G T RESTANO:

Well, I think it is scandalous that the Company should be asking but, anyway, I accept your ruling, Mr Speaker. Next I want to know about the legal action which is being taken.

HON M K FEATHERSTONE:

As I have said, Sir, and taking your indulgence, the first question that was asked, as I have said, the situation is that the Quarry Company has to sue Government who will then pass it through to Robertson's Research in their action. Otherwise, the Quarry Company would have sued Robertson's Research. Robertson's Research promised a certain tonnage per annum would be obtainable from the Quarry project and that tonnage has not been met and that is where part of the loss of profits comes from. The other loss of profits is that to mine any sand at all, more expensive machinery has had to be employed that would otherwise have been necessary. That, again, is something that would be set against Robertson's Research in a direct application but as the situation is that the Government has to be an intermediary then the Quarry Company will sue the Government who will then pass it on against Robertson's Research.

HON G T RESTANO:

Mr Speaker, I will not touch on the profits because that is your ruling but the Principal Auditor does not seem to be again, or at least the Minister does not seem to be of the same opinion as the Principal Auditor. The Principal Auditor says that the matter is now in the hands of the Attorney-General.

HON M K FEATHERSTONE:

That is correct and that is one of the reasons why Government has brought out a consultant who will look into the whole situation and be an expert witness in an action taken by this Government against Robertson's Research on behalf of both the Government and the Quarry Company.

MR SPEAKER:

We are going to leave it at that. We are not going to get any further.

HON P J ISOLA:

In the Report £44,000 was given to the project during 1980/81, let us forget the claims. Can the Minister say how much money was given between 1981/82 by the Government on the claims of the Quarry Company?

HON M K FEATHERSTONE:

I really have not got that in my head. I am afraid I would need notice of that.

HON P J ISOLA:

The only question I wish to ask, Mr Speaker, is, has the Government given consideration to the fact that by giving more and more money to the Quarry Company, and they are doing it on the basis that they hope some day to recover the money back from the Robertson's Research consultants. Has the Government given consideration to the thought that they might not recover that money and that therefore they should address their minds as to whether they should keep this loss making company by whatever means, a subsidy or whatever the Government likes to call it, going indefinitely?

8.

HON M K FEATHERSTONE:

I think when one considers a legal action one considers all the ramifications and one normally goes ahead with a legal action reasonably confident one is going to win. I am sure that if the Government thought that we had no chance of winning they would not proceed with the action.

HON P J ISOLA:

May I ask just one question, yet that that was the position, was it not, Mr Speaker, in the dispute over Varyl Begg Estate and it cost the taxpayers £1m? We were told we would get it all back and we never did.

MR SPEAKER:

Order. Next question.

THE HON A T LODDO

Mr Speaker, did the expert who would advise Government on the need to restore the Gustavo Bacarissas painting which hangs in the City Hall arrive as expected, and what were his recommendations?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the Chief Restorer of the Department of the Environment's Conservation Studio in London visited Gibraltar in April, 1982, primarily to inspect the murals in the courtyard of the Convent. The opportunity was taken for him to inspect the Gustavo Bacarissas painting in the City Hall and to recommend on the treatment required.

His recommendations received on 25 June, 1982, were, basically, that the flaking areas of the picture should be consolidated the surface should be cleaned and the discoloured varnish removed. Areas of paint loss should be filled and re-touched and the whole picture re-varnished.

The Government will now consider the implementation of these recommendations.

6.7.82

NO. 151 OF 1982

ORAL

THE HON A T LODDO

Mr Speaker, in view of the success of the traffic lights, even with a closed frontier situation, is Government considering installing traffic lights at other traffic congestion points?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Sir, a number of sites have been investigated for possible future traffic lights installation but owing to the limited funds available these schemes cannot be implemented this year.

It is hoped, however, to instal a "Pelican" traffic light controlled crossing in Queensway for the new Girls' Comprehensive School at an estimated cost of £4,000.

THE HON J BOSSANO

Can Government state how much of the proposed \$40m 1981/86 Development Programme is already included in the 1982/83 Improvement and Development Fund Estimates of Expenditure?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, a number of projects planned under the 1981/86 Development Programme, at an estimated total cost of \$9.12m, were included in the 1982/83 Improvement and Development Fund. Other projects in the new programme continue to await the outcome of discussions with Her Majesty's Government.

SUPPLEMENTARY TO QUESTION NO. 152 OF 1982

HON J BOSSANO:

Mr Speaker, the outcome of discussions then one can take it is not going to influence the content of the Improvement and Development Fund Estimates of Expenditure for the current year?

HON A. J CANEPA:

The provision made in the 1982/83 Estimates totals £3.694m and the projects, if I can run through them very quickly, are Rosia Dale Phase II, the Tower Elocks that was only a token of \$100, the extension to the Boys' Comprehensive School, urban improvements, re-siting of the Ice Box, salt and potable water system renewals, footbridge Winston Churchill Avenue, sewers pumping station - Catalan Bay, desalination plant - Waterport and Viaduct Causeway. The extent to which ODA are or are not forthcoming on these projects which the sum, as I say, is nearly £3.7m for 1982/83 could affect what in fact happens because if not sufficient financial assistance is provided by ODA, we may not be able to, from our own resources, fund the balance.

HON J BOSSANO:

Mr Speaker, I am grateful because I think that the Minister, in fact, misunderstood the line of questioning. What I am saying is that, at best, am I right in saying, what we can anticipate is confirmation of the development programme as reflected in the estimates and that it is not a question of, if the ODA is forthcoming the amount actually being upped from what was already provided in the estimates. Am I right in thinking that?

HON A J CANEPA:

Even from the point of view of time-scale I doubt whether we would be in a position for that amount to be increased. I think the Hon Member is right.

NO. 153 OF 1982

ORAL

THE HON J BOSSANO

Has Government had any indication from ODA whether the limitation placed on the £4m of Development Aid as regards the type of projects for which it could be used are now being lifted?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

No, Sir. The Gibraltar Government will, however, continue to press Her Majesty's Government for a more flexible approach on the funding of development projects, particularly given our urgent and heavy requirements for the funding of housing projects.

SUPPLEMENTARY TO QUESTION NO. 153 OF 1982

HON. J BOSSANO:

Mr Speaker, as regards the £4m of aid, I think it was the Hon and Learned Chief Minister who said in answer to a question at the time that there was, at the time, no clear indication that the philosophy being applied to the £4m was going to extend, as it were, into the rest of the aid. Has there been any change in that position?

HON A J CANEPA:

No, Sir.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Will Government state whether approval has been obtained from ODA for the projects to be funded out of the 34m of Development Aid which were laid on the table six months ago?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, to date, formal ODA approval has not been received for the projects submitted by the Gibraltar Government for funding under the 24m tranche agreed in December, 1981.

SUPPLEMENTARY TO QUESTION NO. 154 OF 1982

HON G T RESTANO:

What is the Government doing about it?

HON A J CANEPA:

May I explain, first of all, what ODA has done about it. Following submissions of the project application, ODA decided that all projects required a full evaluation by their technical advisers. The ODA engineering adviser, Mr Hilton, and a senior economist, Mr Roberts, visited Gibraltar between the 30 March and the 6 April and the 23 to 29 May respectively. The latest indications are that the causeway and the distiller projects will go before the Projects Committee at an early date.

HON G T RESTANO:

Is Government pressing?

HON A J CANEPA:

Yes, the Financial and Development Secretary had meetings in ODA recently, my Colleague the Minister for Public Works was there last week and the Chief Minister on his visit to the United Kingdom. Since the projects applications were made last January, I think the Chief Minister has been there twice. We have all been pressing ODA.

MR SPEAKER:

Next question.

NO. 155 OF 1982

ORAL

THE HON P J ISOLA

Sir, in view of the fact that the frontier is unlikely to open will Government now make an urgent reappraisal of its priorities in its development programme with a view to putting them before the British Minister who is due to travel to Gibraltar shortly?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the Government has already begun its re-examination of the development programme and intends to reiterate its case to the British Minister who is expected in Gibraltar shortly.

SUPPLEMENTARY TO QUESTION NO. 155 OF 1982

HON P J ISOLA:

Will the Minister not agree that it is important to have ready a programme for the British Minister to tackle this at a political level as opposed possibly to ODA which looks at things rather differently and there is a need, is there not, to uplift the moral of Gibraltar and, therefore, will we get a statement from the Minister after the British Minister has come that, in fact, the whole thing has been put in front of the British Minister?

HON A J CANEPA:

I agree with everything that the Hon Member has said. I just cannot promise that I will make the statement because I might not be here to do so but I am sure the Government will consider the point.

MR SPEAKER:

Next question.

THE HON P J ISOLA

Can Government report any further progress on the construction of the multi-storey car park at Casemates?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, following the decision to re-invite tenders on an open tendering basis, four tenders have been received.

These have been considered by the Land Board after consultation with the Development and Planning Commission.

All four tenders fall short of the tender requirements in one way or another, but since some of these deficiencies are common to all, it has been decided to defer adjudication pending clarification from the four parties.

The tenderers have accordingly been given until the end of the month in which to correct the position.

SUPPLEMENTARY TO QUESTION NO. 156 OF 1982

HON J BOSSANO:

Mr Speaker, is there an indication of where the shortfall lies?

HON A J CANEPA:

Yes, the deficiencies are mainly of a design and financial nature but in view of the confidentiality of the tender I cannot go beyond that information.

HON J BOSSANO:

Would the Minister say to what extent the need for reprovisioning of the service families living there is an obstacle or is not an obstacle?

HON A J CANEPA:

Some of the tenderers do make provision to tackle the problem from their own resources.

HON J BOSSANO:

Would the Minister agree that against the background of the economic difficulties facing Gibraltar, it would be totally unacceptable to the Gibraltar Government that if a suitable tenderer was found the non-materialisation of the project should be due to the need for reprovisioning?

HON A J CANEPA:

Yes, but I do not think that that is a major difficulty and at the end of November in the talks that we had with officials who came to Gibraltar, we made the point in connection with these seven married quarters and the fact that if the British Government proposed to close the Dockyard that that might throw up accommodation elsewhere. I think the point was sympathetically received, certainly by the Flag Officer Gibraltar, so if that were to be the sole obstacle I think the Government would go to town on that but I do not think that it will in fact prove to be the case.

THE HON G T RESTANO

Would Government make a statement on the options now open to it with regard to the reclamation on the East side?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Mr Speaker, only two of the three outline proposals received satisfy Government's requirements in general terms. However, there are a number of queries related to the nature of the tourist orientated development which require clarification before the matter can be considered further. The applicants have been notified accordingly. A development of this magnitude requires detailed study not only from a planning and technical point of view but also from the wider economic, social and environmental considerations.

Until these further details are received it will not be possible to consider the procedure to be adopted.

SUPPLEMENTARY TO QUESTION NO. 157 OF 1982

HON G T RESTANO:

Will Government make a statement to this House when it does receive the information it requires as to what its options are?

HON A J CANEPA:

Yes, I am prepared to make a statement in due course. I am prepared to keep the House informed as to progress made, if any, but I do not think that we are going to see very dramatic progress made in this connection. There are a number of details that we have requested from them and I think that some of these details are of a complex nature and they may not be available to the Government, they may not be received from the interested parties in a short period of time. But I am prepared to keep the House informed in future meetings to the extent that I am able to do so.

MR SPEAKER:

Next question.

THE HON J BOSSANO

Will Government consider the retention of St Jago's Hostel for use as a workers hostel until such time as it is due to go out to tender for re-development?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the Government has already earmarked the St Jago's Building for conversion to office accommodation to house a number of Government Departments.

SUPPLEMENTARY TO QUESTION NO. 158 OF 1982

HON J BOSSANO:

Mr Speaker, I am not disputing that. My question is whether they are prepared to retain it as a workers hostel until such time as they use it for the use that the Hon Minister has said?

HON A J CANEPA:

The difficulty again, Mr Speaker, is that we do not really know how soon we can make a start on this project. It is really dependent on the outcome of discussions on the next development aid programme but apart from that there are, I think, other difficulties, for instance, I do not think that the Department of Labour and Social Security at present has any intention to provide additional hostel accommodation to house immigrant labour. The cost and the running expenses at St Jago's will be high for the limited period that it is going to be used. If a need were to arise in the context of any future development plan, I think the Government would seriously consider that or would seriously consider making available other buildings that may become available as a result of accommodation that is now used by some schools, for instance, in Town Range becoming available but we are worried about opening another hostel with all the costs involved and then having difficulties in attempting to close down that hostel. Experience in the past has proved that it is very difficult to close a hostel down. So until we have more clear indications that the purpose for which the building is earmarked which is office accommodation with a view to decanting from private sector accommodation which we are now renting at very high rent, unless that were to be put off for a considerable period of time, I think we would want to proceed along those lines rather than consider a hostel for immigrant labour.

HON J BOSSANO:

Mr Speaker, but I am not suggesting that the Government should decide to have a hostel there as a permanent feature in replacement of its plan. What I am saying is given (a) that it is not going to be done in the current financial year which I think the Government can confirm, (b) that the Government in any case is experiencing difficulties in obtaining the necessary funds for the five-year development programme, would the Minister not agree that it is certainly preferable to have the building in use than to have it empty and derelict like other places are?

HON A J CANEPA:

Except that, as I say, there are not inconsiderable costs entailed in putting it into reasonable conditions. I am told, I have not seen the building itself, I do not know whether the Labour Department have, they must have inspected the building, I think, if their view is that the costs in rehabilitating it would be appreciably high and then the running expenses of the hostel, and there I can speak from direct experience, tend to be rather high. The Government finds it very difficult to make ends meet in the Government hostels that it runs and the expenditure involved may not be worthwhile even if we are not able to make a start during this financial year. I think we would very much like to be able to make a start on office accommodation in the next financial year.

HON J BOSSANO:

Would the Minister not agree, in fact, that past experience, for example, in the case of the hostel that was where the Girls' Comprehensive is today suggest that it would have been preferable in that instance when I asked him at the time to retain the hostel that would have enabled the Government to provide accommodation for labour and with the benefit of hindsight there was an opportunity lost there? Would the Minister not want to avoid a similar situation?

HON A J CANEPA:

Yes, I agree that on that occasion, perhaps, it might have been worthwhile to have used that hostel but do not forget that there we were talking of a major multi-million pound development and the funds have to come from ODA. On this occasion it could well be that provided we do reasonably well out of our aid submission, we may modernise St Jago's building into office accommodation at our own expense because it is a worthwhile exercise having regard to the very high rents that we are paying.

HON J BOSSANO:

I am not disputing that part of it, Mr Speaker. There are two more points that I think I need to make in order to try and persuade the Government, Mr Speaker, if you will allow me. Would the Minister not agree that in looking at the cost element of it he should also take into account two factors that I think perhaps may not be looked at by the Labour Department which is looking at it from a purely departmental view but which I would ask the Minister to look at from the view of the economy of Gibraltar as a whole, which is one that in looking at the volume of work that he expects to be able to put into the development programme there is going to be a need for a construction labour force which cannot be accommodated elsewhere with the present available accommodation? Secondly, the non-availability of hostel accommodation puts additional pressure on private sector housing and eventually shows up as extra pressure on the waiting list for Government housing? Will he when looking at this situation, will he take full account of all the factors in the economy and not simply the cost benefit from a purely Labour Department point of view?

HON A J CANEPA:

Yes, I think the Hon Member has a point and I think I indicated earlier that I was receptive to that argument when I said that if there was a requirement arising from major development projects we would seriously consider it. But I am sure the Hon Member must also be aware that we are, as employers, under enormous pressure from the Gibraltar Government Clerical Association to take remedial steps because the office accommodation falls far short of what is desirable. I am appalled, I can tell the Hon Member about the condition of some of the offices in the Government Secretariat building. We have had industrial action already in this connection and I would not be surprised, if we were to have a very wet winter next year, if we were to have serious problems again. We have got the Gibraltar Government Clerical Association working with the Government in an Office Accommodation Committee and we cannot renege on the studies that are being made to try to solve the problem. You cannot expect people to cooperate with you and carry them along with you in a helpful positive attitude and then been round and do nothing about a building which has been earmarked for that purpose and which they consider would break the back of the problem. These are the difficulties that we also have and we have to fight to balance them all.

HON J BOSSANO:

Mr Speaker, I accept that point entirely and I am not suggesting to the Government for one moment that they should consider putting off using this building for office accommodation in order to retain it as a hostel. All I am asking is whether the Government would consider perhaps, if he says that the Government itself cannot do it economically

MR SPEAKER:

You must ask questions.

HON J BOSSANO:

The question that I am asking is whether they would consider, perhaps, if they cannot do it economically whether with a very clearcut limitation on the period for which it is going to be available, make it available for use as a workers hostel even if it is not Government run? What I am saying is that essentially, I am asking the Government to state whether without in any way renegeing on their commitment to provide the necessary office accommodation for Government workers, whether it is preferable, if it is possible, to keep that building in use until such a time as it is ready to be converted into offices rather than keep it empty?

HON A J CANEPA:

Yes, I think we would be prepared to do that if the school accommodation that is going to be thrown up as a result of a number of moves occurring in the next few months proves to be adequate, as I hope it will be, for use as office accommodation. That might carry us over the hump. I am doubtful about the reaction from the private sector though because we did some years ago put out the Red Ensign Club to tender for use as a hostel and there was very little response but I will arrange for the Minister for Labour and myself to keep that in mind.

6.7.82

NO. 159 OF 1982

ORAL

THE HON A J HAYNES

Sir, will Government state the position as regards amending the Port Rules in order to give greater powers of enforcement to the Captain of the Port and will the Government give the clean-up campaign in the Port greater priority?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, as the Hon Member will have noticed from the Agenda for this meeting of the House, steps are already being taken to amend the Port Ordinance thereby granting greater powers of enforcement to the Captain of the Port.

The various works at present being undertaken within the Port area do little to enhance the general tidiness. This, it will be appreciated, is only a passing phase. The strengthening of the powers of enforcement together with the appointments to be made of a Dock Controller and two assistants will enable the clean-up campaign to take on a new impetus.

6.7.82

NO. 160 OF 1982

ORAL

THE HON P J ISOLA

Sir, will Government make a statement on the agreement made between GBC and Airtime International Limited in relation to advertising and will Government make the agreement available to the House?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Questions Nos. 161, 162 and 163.

6.7.82

NO. 161 OF 1982

ORAL

THE HON P J ISOLA

Sir, was Government aware that GBC had signed a contract with Air-time International Limited on 28th March, 1982, and if so will Government explain why it did not bring the agreement to the notice of the House when asking it to make financial provision for GBC at the time of the budget?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Questions Nos. 160, 162 and 163.

NO. 162 OF 1982

ORAL

THE HON P J ISOLA

Sir, in view of the fact that the existing boycott of GBC by traders in Gibraltar must inevitably lead to an increase in the subsidy paid to GBC by the Gibraltar Government, has the Government made any efforts to settle the dispute?

ANSWERTHE HON THE CHIEF MINISTER

Answered together with Questions Nos. 160, 161 and 163.

THE HON P J ISOLA

Sir, will Government state the expected effects of the agreement between GBC and Airtime International Limited on:-

- a) the revenues of the Corporation
- b) the cost of advertising in Gibraltar
- c) the staffing requirements of GBC?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, on 17 February, 1982, the Chairman of the Board of the Gibraltar Broadcasting Corporation wrote to me on a number of matters which had been under consideration by the Board. In his letter he stated, inter alia, "I should in this context mention that GBC, after some protracted bargaining, is about to conclude an agreement with Scottish television which will guarantee at least £140,000 per annum (we hope the figure will be higher) for 40% of our commercial air time The remaining 60% of our commercial air time will need to be sold - in the past the most GBC has managed to dispose of has been 48%". In replying to this point I said "I was very pleased to note the terms on which the proposed agreement with Scottish television has been re-negotiated".

On 6 May, 1982, the President and a number of members of the Board of the Chamber of Commerce asked to see me at short notice in order to bring to my attention their strong objections to the arrangements which GBC had made for advertising. After listening to the Chamber's representatives I said that the Corporation was an independent body and that it seemed to me that the Government's only interest was the effect that the new advertising arrangements were likely to have on the Corporation's finances. I went on to say that, for this reason, their representations should be directed to the Board. They agreed to do so.

Sir, as this House is aware, the Board of GBC values its independence very highly and protects it most jealously. I am sure the House will agree with me that the Board is right in doing so and that, to the extent that matters affecting GBC come before this House, this House should at all times support the Board's independence.

It is for this reason that, from the outset, I took the view that the Government should not without due cause, become involved in the dispute between GBC and the Chamber of Commerce. I believe that that is the correct position to adopt, not only for the Government but for this House as well.

It is implicit in the questions asked by the Hon the Leader of the Opposition that the Government and the House have an interest in this particular matter because of the possible effects on the Board's finances. I, of course, agree entirely with that, but my view is that in the absence of any earlier indication to the contrary, the time for the Government and the House to manifest its interest actively will come when the Board of GBC next submits its accounts.

It is my view that, when a statutory Board is appointed, particularly a statutory Board whose independence is essential and which is widely representative, both the Government and the House should have confidence in that Board's ability to manage competently and effectively the responsibilities with which it is charged. The Government has that confidence in the Board of GBC and hopes that the House as a whole will share it. At the same time, of course, the Government and the House have a primary responsibility for the use of public funds and if, when the time comes, the Government's confidence turns out to have been misplaced, I have no doubt that the Board itself will take the appropriate course of action in those circumstances.

I wish to make it quite clear that my remarks about the position of the Board as an independent Corporation and of the confidence which the Government places in the Board must in no way be construed as meaning that the Government is taking sides in this dispute. The Government regards it at this stage, strictly as a matter between the GBC Board and the Chamber of Commerce and, while it naturally hopes that an amicable settlement will soon be reached, it has not adopted a view on this matter and does not intend to, unless either, when the time comes, it were to become apparent that the Board has not acted wisely, or the Board and the Chamber were jointly to ask for Government intervention. I should add that, quite apart from the reasons I have given for no interference by the Government, the whole question is in the hands of the legal advisers to the Board of GBC and to the Chamber.

What I have said so far is my answer to the four questions asked by the Hon Leader of the Opposition. There is, however, one specific point which is not covered by what I have said and which is contained in Question No. 160 where he asks whether the Government will make the Agreement available to the House. I have consulted the Chairman of the Board on this point and he has informed me that the legal advice given to the Board is that, in accordance with normal commercial practice, the Agreement between GBC and Airtime International Ltd is confidential to the two parties. The Government legal advisers' view is that the Government might properly ask to see the Agreement, if there were a substantial reason for doing so, but that, unless and until it may decide to do so, the Agreement should be treated as confidential to the two parties. I have not, of course, seen the Agreement myself.

I accordingly commend to the House that the dispute which has arisen between the Board of GBC and the Chamber of Commerce be left to the two parties to resolve between themselves.

SUPPLEMENTARY TO QUESTIONS NOS. 160, 161, 162 AND 163 OF 1982

HON P J ISOLA:

Mr Speaker, is the position of the Chief Minister that of Pontius Pilate, that he is washing his hands of the whole affair, when there is a Government subsidy voted by the taxpayers of Gibraltar of over £800,000 to the Gibraltar Broadcasting Corporation? Is that the correct interpretation of what he has said?

HON CHIEF MINISTER:

No, it is a complete misrepresentation of what I have said. What I have said is that at this stage the Government is in no position to know whether the finances of the Corporation will require more help from this House or not and that in the circumstances, being an independent body, the Government is advised that at this stage we should leave the independent body to govern themselves. If, as I said before, the matter were to arise when a misjudgement appeared at the time, then of course, I have indicated perhaps what the Board would do. At this stage it remains to be seen yet at the time when the presentation of the accounts whether in fact this dispute is likely to affect the extent to which the Government will have to provide funds for GBC. There is no point in having an independent body and trying to interfere in the way they carry out their business. As far as my experience is concerned, I do not see any people of calibre being prepared to serve in the Board when the affairs of the Board are interfered with, with haste, by the Government. That is the answer.

HON P J ISOLA:

Mr Speaker, as this House has to vote these vast sums of money every year, has the Chief Minister made any attempt to obtain the information that is requested in these questions?

HON CHIEF MINISTER:

No, I have not because what I have said gives a good indication of the fact that on the face of it we are not at this stage likely to be very seriously affected. The whole of the revenue from advertising last year was £148,000, 40% of the air time provides a guaranteed £140,000, whatever happens, £140,000. If the Board can provide out of the rest of the 60% of the time at least £10,000 or £15,000 then they will be up on last year's revenue in any case. So that, in fact, having regard to what I have said here, which is what I was informed in the letter on the 17th February, the Board is guaranteed £140,000 as compared to the £148,000 that they had after working the whole way through the year. I cannot believe that the Board cannot dispose of 60% of the airtime at a cost of less than the £8,000 or £10,000 or perhaps £15,000 that would be required to make the £148,000 equal to today's value. That is what I am saying and at this stage, in any case, I believe that both parties are in the hands of lawyers with regard to the legality or otherwise of this Agreement and the Government at this stage feels that it would be improper to involve itself in this dispute.

HON P J ISOLA:

Mr Speaker, does not the Chief Minister realise that what he has just said contains a considerable misapprehension of the situation and will he take steps to acquaint himself more about the situation? Is he not aware that what has happened, apparently and has not been denied by the Gibraltar Broadcasting Corporation is, that the advertising that has been built up over the years by the Gibraltar Broadcasting Corporation, this 40% that the Hon and Learned Chief Minister has spoken of, this £140,000, has in fact been passed on to Airtime International Ltd free of charge. Apparently because

they have been given the exclusivity to deal with the products that were being advertised on GBC and that if the Agreement, and that is why we are asking about it, if the Agreement had contained a right to Airtime International Ltd of exclusivity, outside what was already being broadcast today, we might all well be applauding GBC. But, is he not aware that the basic flaw as we understand it and as we have been led to believe, is that what GBC has done is it has passed the advertising acquired at great public expense and at great cost, has passed it on to Airtime International Ltd who are now selling it at a much higher price, is he not aware of this?

HON CHIEF MINISTER:

Nothing of the kind.

HON P J ISOLA:

Then the Chief Minister knows about it, perhaps we could be told.

HON CHIEF MINISTER:

Pardon?

HON P J ISOLA:

Then the Chief Minister knows more about the Agreement than he has led us to believe, perhaps he could tell us, that is why we are asking in this House.

HON CHIEF MINISTER:

When you read my answer, because apparently by reading it out it does not seem to have percolated into the Hon Member's mind, if you read the answer you will see that what the Gibraltar Broadcasting Corporation has sold, in accordance with the information given to us before the Agreement was signed, what GBC has done is has sold 40% of its airtime to another company for which the Government will receive £140,000. Whether it is in respect of the present advertiser or more advertisers and in this connection, the fact that it is a company which advertises in the United Kingdom and would be helpful in projecting Gibraltar in other television services as well, is a side effect, the point is that in accordance with my understanding of the situation we have a guaranteed £140,000 come what may. Whether the company itself had in mind when they offered this amount that they would take over part of the advertising or not is neither here nor there. If they have made a misjudgement of that, that is their responsibility not ours. As far as we are concerned, we have available for Airtime International the 40% of air time for which they are paying and as soon as they start feeding, if they haven't started already some advertisements, the Broadcasting Corporation will honour this Agreement of giving them 40% of the air time, that is all.

HON P J ISOIA:

Mr Speaker, if what has happened was that Airtime International had purchased 40% of the GBC advertising time, full stop, we would congratulate the Board on having assured themselves of an income but is that the fact? Is not the fact, Mr Speaker, that in selling them this Agreement GBC has in fact given Airtime International exclusive handling of a great number of products and is that not in fact what the Chamber of Commerce communique said? What we are trying to do in this House is to find out. Is that a fact or not and if it is a fact, is it such a good deal, the taxpayers, Mr Speaker, are entitled to know, they are footing the bill?

HON CHIEF MINISTER:

I can only go by what I was told in the letter from the Chairman which says: "After some protracted bargaining, is about to conclude an agreement with Scottish television which will guarantee at least £140,000 per annum. (we hope the figure will be higher) for 40% of our commercial air time. The remaining 60% of our commercial air time will need to be sold - in the past the most GBC has managed to dispose of has been 48%". So, in fact that, to my understanding means that they have guaranteed, or rather, we have sold them 40% of our airtime and they have tried to obtain or not, whether they have tried to obtain or not the advertising that GBC has is another matter. Of course, it is another matter. If they have to pay to GBC £140,000 because they did not anticipate that they would find the difficulty that they are finding, that is their business and not GBC's business.

HON G T RESTANO:

Mr Speaker, on a point of clarification on the figures that the Chief Minister has said. He said that 40% which is being given to Airtime represents £140,000 and that GBC in any case never sold more than 48%. Well, I have here the Audited accounts for the year ending March, 1981, on which the GBC advertising revenue was £172,000, so in any case a lot more, more certainly, than what it would get from Airtime International.

HON CHIEF MINISTER:

I stand corrected, I am terribly sorry I have made a mistake. I was referring to the 48%. I said £148,000 and I have no basis on which to do that, I am sorry. I was referring to the fact that the most that GBC has sold was 48% for which we may have got whatever figure the Hon Member has there.

HON G T RESTANO:

On the basis therefore, Mr Speaker, of the 40% costing or producing a revenue of £140,000, 48% which is the maximum they have ever sold would have produced £168,000. In fact, their actual revenue in March, 1981, was more than that, it was £4,000 more and I am led to understand, of course, that the rates of air time will be greatly increased than what GBC charged before, perhaps the Chief Minister could confirm this either way.

HON CHIEF MINISTER:

I do not know and I have not asked about the rate for advertising. I have taken the view at this stage that this is a matter for the Gibraltar Broadcasting Corporation which is an independent statutory body. The time to discuss this will come under when the question of providing funds for GBC will be under review. At this stage, Mr Speaker, I do not hold myself at all responsible for the affairs of GBC. I think it is essential to keep its independence and to see when the time comes what the result of this is. I cannot go beyond that, because, that would be interfering in GBC. This Government wants to maintain the complete independence of GBC from pressures from any side of the political spectrum.

HON P J ISOLA:

Mr Speaker, does the Chief Minister not agree that we have the accounts of GBC brought to this House? Does he not himself answer questions very often on behalf of GBC? What can be the reason for his present reluctance to investigate matters that are of public concern? I would like to ask him. There is a situation at the moment when we know that GBC's revenues are being affected and must be affected by the lack of advertising. Eventually the Hon and Learned Chief Minister will have to come to this House and ask us to increase the subsidy. Is it not prudent on his part? Would it not be prudent to investigate factually what is happening as the Chief Minister, will he not agree, does not seem to be aware of the fact that with one hand GBC was going to collect £140,000 and with the other hand GBC is going to put on the plate of Airtime International Limited the efforts of the trade in Gibraltar, the efforts of its own sales scheme or whatever it is one calls it, on an exclusivity basis? Is that not a matter for concern for the Government, if that is correct?

HON CHIEF MINISTER:

First of all, I dispute the fact that I have answered for GBC, I may have answered from time to time in connection with the provision of funds by this House but I think, Mr Speaker, you will recall that my attitude in respect of the affairs of GBC has always been one of detachment - because it is an independent body. In addition, in this case, because there is a dispute. A serious dispute between a Statutory Body and a responsible representative body of trade. There are lawyers appointed on both sides, the matter is being discussed, I do not accept all the statements made about the question of exclusivity, it may be that airtime is just a situation and will come out badly out of this, that remains to be seen. So long as GBC does not come badly out of it and therefore we come badly out of it, I think that is something that we shall have to decide when the final accounts and this situation comes before this House. I have already suggested if it were a disaster what the proper action would be for those responsible for it.

HON MAJOR R J PELIZA:

Mr Speaker, perhaps before putting the question I should declare an interest. The company of which I am a director, used to advertise in GBC until the whole situation arose. Could the Chief Minister say if he has looked at the implications to the small

businesses in Gibraltar, forget about the money that this may render as income to GBC because of the competition that will put the small trader in Gibraltar perhaps with the big advertiser in the United Kingdom or perhaps on the other side of the frontier, has he looked into the repercussions that this could have to the small businesses of Gibraltar?

HON CHIEF MINISTER:

I think so, because after all if the agreement had been one in which GBC had sold all its airtime then, of course, you could say the big fish are taking it all. It seems that the big fish are taking nothing, but anyhow, the big fish are taking it all and there is nothing for the small fish. But with 60% available for the small advertiser here in Gibraltar, as already there are signs of few advertisements, anybody who watches television - that channel recently may have been abandoned a little due to the other circumstances - will notice that there are new advertisements. I do not know whether they come under the agreement or they come under the direct one. We have a sales representative, we have reinforced the staff in order to be able to sell that extra 60% time as the House well knows. Therefore I do not see that the small trader will be affected since the small trader has got every right to go to GBC's representative and seek airtime at the normal rate which GBC propound in their pamphlet which I have seen.

HON MAJOR R J PELIZA:

Doesn't the Chief Minister realise that if the rates that are being attained by the agents abroad are very high, locally there will be a demand for a similar rate?

HON CHIEF MINISTER:

I do not know what the rates are that have been demanded abroad but I have seen a brochure of GBC in which they state the airtime costs for advertisements and I have not been told that that is more expensive than the time that has been sold to Airtime.

HON P J ISOLA:

Mr Speaker, may I assure the Hon and Learned Chief Minister and other Members of this House, that with these questions what we are seeking to obtain is information. We are not seeking to make a judgement on the GBC agreement. Unfortunately the Chief Minister does not give us the information that we require and then judgements, does he not agree, will have to be made on the scant information that is available? Will the Chief Minister following this House make a point of investigating the exclusivity point that I have made because it seems to have escaped him entirely in his answer to what GBC told him. It seems that what GBC told him is the bright side, GBC did not tell him that they were in fact themselves going to pass on business through Airtime on an exclusivity basis. He does not seem to know that. Will he please investigate that because is it not of concern?

HON CHIEF MINISTER:

Yes, certainly, the question of exclusivity is a matter that I will look into. I was reading exactly from the only information I have on the matter and that did not refer to any exclusivity. I will certainly look into that one and I agree that it is relevant if it is exclusive.

HON P J ISOLA:

I am glad for that. Mr Speaker, may I ask another question? The Hon and Learned Chief Minister was told about this, we had a budget debate in Gibraltar on the GBC vote and in fact a lot was said on this side of the House at the apparent increase in the contribution. Why was not the House fully informed in respect of an agreement that was meant to have quite big financial consequences?

HON CHIEF MINISTER:

Well, I don't think that at the time that we had the budget we envisaged that there would be any dispute as it has arisen and it is fair also to say that at the time when we had the budget there were expectations which were going to be profitable for a lot of people including GBC in advertising if certain events occurred which have not occurred. That was a factor which may have had something to do with the whole question. The expectation of advertisement and so on may well have been different if the frontier had been open. I think that that is no secret and that it may well be that that was in the minds of the people when they asked for the contribution, I do not know. All I can say is that their prospect or their estimate of revenue and expenditure were looked at by the Treasury not as any other department because they are not a department, but they are looked at because we have to be satisfied that we have to fork out the difference and that there was no question, I am sure the Hon Financial and Development Secretary will tell this House, there was no question that there was going to be a loss in revenue through advertising at all during the discussion of the budget.

HON P J ISOLA:

May I say, Mr Speaker, that unfortunately the reason of that is that the whole agreement was not brought to the attention of the Government and we do not share, may I say at this stage, the view that GBC is entitled to enter into an agreement or enter into agreements that have financial consequences without full consultation and agreement of the Government because it is a very highly subsidised Corporation. We want it to be independent but on the other hand there has to be financial control from this House. Could I, Mr Speaker, ask the Chief Minister also to investigate the possibility in an effort to bring peace because I think everybody would like to see peace in this dispute, in an effort to bring peace to ensure that traders who have for years advertised their principal products on GBC should be able to continue to do so in Gibraltar in direct communication with GBC and not be forced to pay higher charges and going through a company that has been brought in to Gibraltar because GBC wanted to bring it in?

HON CHIEF MINISTER:

Mr Speaker, in the first place the question of desiring to exercise financial control over GBC is a very delicate area and we have to draw a very, very careful line between the exercise of financial control, of caring for the money and not interfering. Financial control could be a very good way in which to exercise political control and that is something we must avoid. With regard to the second part of the question, the Hon Leader of the Opposition is posing precisely the substance of the dispute which I have said is already in the hands apparently of solicitors on both sides, (a) whether GBC has got the right to do what they have done which they have advised they have, and (b) whether the Chamber has got the right to dispute what GBC has done. The legal advice we have received, at this stage, is that we should not get involved. The other advice is my political judgement and nothing else and the judgement of my colleagues. The immediate advice we have received is that at this stage we should not interfere and not even ask to see the Agreement.

HON P J ISOLA:

Mr Speaker, may I ask the Chief Minister if he doesn't know the answer to this question and that is whether there is a provision in the Agreement under which Airtime International can opt out or GBC can opt out, is he aware of that?

HON CHIEF MINISTER:

The answer to that is, I have not seen the Agreement and I don't know.

HON P J ISOLA:

May I ask the Chief Minister whether he would then invite the Gibraltar Broadcasting Corporation to give some information to the House? Will he have available for the House the kind of information that I have asked:- The effect on the Agreement on the revenues of the Corporation, the cost of advertising in Gibraltar and on the staffing requirements of GBC? Are we to expect, Mr Speaker, a reduction, for example, in staff at GBC as a result of this wonderful Agreement?

HON CHIEF MINISTER:

Mr Speaker, I am afraid we have lost a whole lot of time in questions because I have answered all those questions in the way the Government looks at it. I cannot answer in the way the Leader of the Opposition wants. I have made the position clear. I will report to the House when we next meet in October the outcome as such of the information that GBC may wish to give us in respect of this when they see the Hansard of this question.

MR SPEAKER:

I think what the Leader of the Opposition has asked you to do is whether you are prepared to find out this information.

HON CHIEF MINISTER:

No, I am not, not at this stage.

HON P J ISOLA:

Could I then ask, will the Chief Minister not agree that a Corporation that has received £834,000 from public funds voted by the Government, in consultation with the Government, can hardly call itself independent in the real sense of the word? That being the case, and the Government having a responsibility to this House on how public monies are spent, does the Chief Minister not agree that the House is entitled to have information, factual information on matters that may affect or could affect the size or otherwise of the subsidy that the Gibraltar House of Assembly is asked to provide for GBC?

HON CHIEF MINISTER:

Yes, when next year's estimates are gone into and GBC comes to us for money.

HON P J ISOLA:

Mr Speaker, will the Chief Minister not agree that where facts come to light that may affect that picture at the end of the year, it is far wiser and far more sensible to get the information sooner rather than later when all one has to do later may well be to sign the loss? Is he not aware that under the Ordinance the Members of the Board are in fact free of all personal liability and therefore it will be the House that will have to pay?

HON CHIEF MINISTER:

Yes, I think Members of the Board are perhaps more concerned with their situation and their standing than the question of liability. If in addition to asking people to devote a lot of time and hard work you are going to make them personally liable, then you would hardly expect people to put in the hours that are required for a thing of this nature. It is this difficulty of, the more the Hon Leader of the Opposition mentions the amount or the subsidy and the more he wants to say that that is why we should have more say, the more cautious one has to be not to interfere if we are going to have an independent Board. If it is the idea of anybody that the Corporation should be run as a Government Department then they are welcome to that idea. I will certainly not subscribe to it because I think that would be the end of the independence of GBC. The day that it is the end of the independence of GBC, it is the end of the independence of the media which can be manipulated and which would lead to other undesirable consequences. We have a period in which, perhaps, I could go as far as saying that GBC are on trial on this, in their confidence and their judgement, that I have no hesitation in saying. But until that comes out it would be interfering in the way in which they are running GBC if we wanted to go into the details that the Hon Member wants now. I certainly will report, I hope that there will be an early agreement, but I will report in any case to the House in respect of one or two

matters and I will certainly make available to the Corporation, with the help of the House, a copy of this Hansard so that they are aware how all Members in this House think about this matter.

HON P J ISOLA:

May I say, Mr Speaker, that we are not making a judgement on the agreement. The Hon and Learned Chief Minister is trying to imply that what the Opposition is doing is seeking to affect the independence of GBC; why he keeps saying that I am not quite sure. What we are doing, Mr Speaker, and what we want is to have factual information as to the effects of an agreement that involves money, that affects the subsidy-to get that information. Does he not agree that we are entitled to that information?

HON CHIEF MINISTER:

I think I would like to clear this because I am not suggesting that Hon Members opposite are trying to interfere in the independence of GBC, I am not suggesting that. I am defending its independence in the light of certain questions which I think affect it and this is where the difference of approach comes. The areas which the Hon Leader of the Opposition wants now to be gone into in my view now would interfere with its independence.

MR SPEAKER:

Next question.

THE HON P J ISOLA

Has Government increased the amount of advertising expenditure in relation to the Keep Gibraltar Tidy Campaign since the announcement of a boycott on advertising on GBC by the Gibraltar Chamber of Commerce and can Government give an estimate of such expenditure?

ANSWERTHE HON THE CHIEF MINISTER

The Government is not charged for any official notices or any advertisements such as those produced and transmitted by GBC in support of the Keep Gibraltar Tidy Campaign.

SUPPLEMENTARY TO QUESTION NO. 164 OF 1982

HON P J ISOLA:

Am I right then in thinking that what has happened is they have been filling up the gap, perhaps it might not be a bad idea, Mr Speaker, if this practice is continued.

HON CHIEF MINISTER:

We hope it has reflected in a cleaner Gibraltar.

HON J BOSSANO:

Mr Speaker, would the Government not agree that if we are talking about subsidies to GBC it might be more accurate to reflect the amount of free advertising that GBC is providing the Government with in assessing to what extent the Government is subsidising GBC?

HON CHIEF MINISTER:

I said official notices because naturally the other media which are not subsidised are paid for the official notices but things like that I do not think, they could be quantified, could be paid out of one side and allow for a reduction in the subsidy but I can assure the Hon Member that it is really, I was going to say 'cleaner' but I did not want to have a commercial.

HON J BOSSANO:

Would the Government not agree that in fact if it is in a situation where it has access to free advertising in GBC and to the extent that it uses that facility and if it were to pay for it it reduces the subsidy, there is in fact an economic rationale to channelling its advertising into GBC rather than into another media where they have to pay?

HON CHIEF MINISTER:

The Government's advertising can get nowhere near but if the Government pays for it it would mean that it would be less subsidy so the point is that it is not being quantified, I will get it quantified for the benefit of the Hon Member but certainly we would not pay for any extras because they have nothing else to put on the screen.

HON G T RESTANO:

Mr Speaker, would that not have to go through Airtime

MR SPEAKER:

No, order. The Chief Minister is not here to give legal advise on a contract which does not bind Government.

HON G T RESTANO:

Mr Speaker, has the Government been appointed as a client?

MR SPEAKER:

No, I have ruled the question out of order and I have given you the reasons why.

NO. 165 OF 1982

ORAL

THE HON P J ISOLA

Is it a fact that in future the GBC Weekly TV and Radio Guide will only be provided as an insert for the weekly newspaper Panorama and if so will Government investigate this matter?

ANSWERTHE HON THE CHIEF MINISTER

This is a matter for the Gibraltar Broadcasting Corporation.

SUPPLEMENTARY TO QUESTION NO. 165 OF 1982

HON P J ISOLA:

Mr Speaker, is the Hon and Learned Chief Minister not concerned to see the possibility of an independent Corporation showing bias or showing favours on a particular periodical in Gibraltar that might or might not support the Government of the day?

HON CHIEF MINISTER:

If the Hon Member visits certain open places where I have been, I am telling him what I have seen, there are hundreds of copies of the GBC Weekly free for people to take. Without having to buy a particular newspaper and let me tell the Hon Member that this was the case before in respect of another paper which could never be accused of favouring the Government.

HON P J ISOLA:

Is the Hon and Learned Chief Minister not guilty again, Mr Speaker, of just skimming the surface of the problem? Is not the problem that it is this particular newspaper only that gets all the information about programmes so that it can write up reviews and so forth and that this information about programmes or coming programmes and snippets and so forth that were provided up till very recently to all the other newspapers in Gibraltar is no longer provided? Does he consider that to be a fair situation from a Corporation that is meant to act independently and will he investigate the matter if he is not aware?

HON CHIEF MINISTER:

I am aware that there are free copies of the GBC Guide in many places and not necessarily by buying the newspaper but I shall investigate the matter.

HON P J ISOLA:

Will the Hon and Learned Chief Minister particularly investigate and use his undoubted authority and influence to try and persuade the Gibraltar Broadcasting Corporation to give the information as regards to programmes and everything to all the newspapers and not just to one? Is he aware that although the Guide is free and can be seen everywhere, it is of no use to newspapers that publish on a Thursday, a Friday or a Saturday because they only have two days to report on and will he try and have talks with GBC to try and put right what appears on the surface to be an unfair situation?

HON CHIEF MINISTER:

I said that I would investigate the position but I am certainly not prepared to use any power or any influence in connection with anything to do with GBC.

HON P J ISOLA:

Will the Chief Minister try and use his influence and power in order to try and obtain a fair situation?

HON CHIEF MINISTER:

I said I would look into it.

THE HON G T RESTANO

Sir, would Government consider making a worthwhile contribution to the Falklands Task Force Fund as a symbol of solidarity both with the Force itself as well as with the people of Gibraltar who have responded so magnificently?

ANSWERTHE HON THE CHIEF MINISTER

Sir, as the House will be aware, and following a suggestion made by the Hon J Bossano at our last meeting, the Government made a contribution to the running expenses of the Falkland Islands office in London. Insofar as the Task Force Fund is concerned, again the House will be aware of the magnificent effort which has been made by so many people in Gibraltar, following the leadership given by the Licensed Victuallers Association, in raising an amount of about £54,000. The Government considers that that contribution to this particular fund should be seen as a contribution by the public at large as a reflection of their individual and collective appreciation and recognition of the sacrifices made by the Task Force. The Government is, however, considering making a contribution to the Falkland Islanders who have suffered losses as the result of the war and for which donations have been publicly invited in order to make up the shortfall between Government reparation/insurance claims and the needs of the Islanders.

Perhaps the Leader of the Opposition would like to discuss this matter with me and, if we are agreed, in consultation also with the Hon Mr Bossano, we could then consider the amount of the donation to be made.

NO. 167 OF 1982

ORAL

THE HON J BOSSANO

Will Government give a firm commitment that by October this year it will enact legislation to enable employers to introduce nomination forms for the payment of sums due to the next of kin without the need for letters of administration?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, I will ensure that the draft legislation is submitted to Government in time to enable it to take this course of action if it approves the details of the measure. Can I add that I am aware this is a long outstanding matter and if the Hon Member will leave it with me I will expedite it.

SUPPLEMENTARY TO QUESTION NO. 167 OF 1982

HON A J HAYNES:

Mr Speaker, will the Attorney-General also consult the DOE and PSA agencies to ask their views on the matter and try and bring them into the scheme if possible?

HON ATTORNEY-GENERAL:

There is no reason why I cannot.

HON J BOSSANO:

Mr Speaker, surely, what I am saying would in fact affect the whole of Gibraltar. We are talking about legislation to which all employers public and private would be able to work to, it is not a question of it being done for the Gibraltar Government only, it is a question of legislation for the whole of Gibraltar.

THE HON J BOSSANO

When will Government expect to have completed its study of the proposals submitted for the privatisation of the Naval Dockyard?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the Government expects to complete its study of the proposals submitted for the commercialisation of the Dockyard by the end of August.

SUPPLEMENTARY TO QUESTION NO. 168 OF 1982

HON J BOSSANO:

Mr Speaker, what does the Government propose to do subsequent to its having completed its study, does it have a programme of how it intends to proceed having completed its study?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, if I may as I am working for the Government on this, the proposals from the consultants are expected at the end of July, they will then be considered by the Government. It will then in the light of the report received from the consultants have to decide how it is going to proceed. I think it is still early yet to say how it should proceed, it depends very much on the recommendations which come from the consultants.

HON J BOSSANO:

Mr Speaker, when the Minister said that the end of August was the anticipated completion date, does that imply that they expect by the end of August to have been in a position to make up their own minds as to the feasibility of the proposals and also for the British Government to have made up its mind about the feasibility of the proposals or does it mean that having made up their own minds by the end of August they then have to refer the matter to the British Government to see what the British Government view is?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

When the Government has reached its own conclusions it will have to put proposals forward to the British Government to look at, that may take well until towards the end of October.

HON J BOSSANO:

So that in fact whether the possible privatisation of the Naval Dockyard was on or not would not be known until both parties had made up their minds so in fact the time-scale is October than than August?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Mr Speaker.

THE HON J BOSSANO

Can Government state whether the air ban continues to be imposed by the Spanish Authorities?

ANSWERTHE HON THE CHIEF MINISTER

Sir, I can confirm that the Spanish Prohibited Area remains in being.

SUPPLEMENTARY TO QUESTION NO. 169 OF 1982

HON J BOSSANO:

Is Government aware whether it was intended to continue the air ban after the implementation of the Lisbon Agreement had, in fact, that materialised on 25 June?

HON CHIEF MINISTER:

The Spanish Government assured the British Government on 8 January that after the Lisbon Agreement was implemented early practical steps would be taken in the interest of air safety to adjust the application of the Spanish Prohibited Air Space. It is for the British Government to consider any further steps following the latest postponement. Gibraltar's views on the matter are, of course, well known to the British Government and indeed to the Spanish Government.

HON J BOSSANO:

Is it not a fact, Mr. Speaker, that the Spanish authorities have indicated that the restrictions on air space around Gibraltar are related to the military nature of Gibraltar and of the surrounding area and that consequently not entirely determined by the implementation of the Lisbon Agreement? Is this a fact or not?

HON CHIEF MINISTER:

Well, I think that the Lisbon Agreement was signed on behalf of the Government of Spain for the whole of Spain. It is no secret that at times it has been suggested that the Spanish Prohibited Air Space is because there is a military aerodrome in the place over which they claim sovereignty. There is no doubt about that, but there is no doubt about two of the facts that as far as I understand the Spanish Constitution, the Prime Minister speaks for the whole of the Spanish Nation and he so undertook under the terms of the Lisbon Agreement to do so on 8 January.

HON J BOSSANO:

But would not the Chief Minister agree that since the Spaniards themselves have drawn a distinction between the air restrictions by relating them to military activities on the Rock and the other economic restrictions that they have imposed on Gibraltar which

they related to their interpretation of the Treaty of Utrecht, it would be legitimate to ask Her Majesty's Government to pursue the discontinuance of the air restrictions in the context of Spain's membership of NATO?

HON CHIEF MINISTER:

I think that it should be a matter of knowledge to all NATO members some of whom send their aircraft to Gibraltar too and some of whom have also suffered as a result of the restrictions, not only in respect of the approaches to Gibraltar but in respect of all the flying in Spain which may require necessarily, apart from any commercial agreement, specific permission. I do not know whether NATO has any particular reciprocal clauses in respect of its membership as to over-flying apart from the fact that you would have to give notice. No, I think that the fact that the Spaniards have taken every opportunity to squeeze the people of Gibraltar whether it be on the military net or on the economic net is all a symptom of the same disease, the lack of understanding of the rights of the people of Gibraltar to determine their future and their determination to carry on doing so.

HON J BOSSANO:

Mr Speaker, whilst accepting the analysis as regards to motivation what I am asking the Hon and Learned Chief Minister is whether he would agree with me that given the distinction that the Spaniards themselves have drawn on this matter, does it not in fact give the British Government an opportunity now to point out to the Spaniards that they can hardly consider the British base in Gibraltar which is a NATO facility a threat to Spanish national security and that there can be no logical or defensible military reasons for saying that they have to impose restrictions on air space on Gibraltar from a military standpoint?

HON CHIEF MINISTER:

Yes, of course, I agree and I am sure that that will be taken up but I shall certainly pursue that aspect of it certainly we have taken every opportunity to draw attention to the fact that the air ban, any mishap - fortunately we have been very lucky - would have irreparable damage to any future relations between Gibraltar and Spain as a result of the air ban.

MR SPEAKER:

Next question.

NO. 170 OF 1982

ORAL

THE HON J BOSSANO

When does Government expect to be in a position to reply regarding the possibility of establishing a sanctuary for the Barbary Ape in the Upper Rock?

ANSWERTHE HON THE CHIEF MINISTER

The whole of the Upper Rock is already considered to be a sanctuary for all forms of wildlife which are fully protected by our legislation. A proposal has been received to fence off a large area of the Upper Rock to establish a "Monkey Park". Examination of the proposals, which will include extensive consultation with the Ministry of Defence, the Development and Planning Commission, the Scientific Authority, the Tourist Office and other interested parties, will be required before a final answer can be given and before I am asked when will this be done I would like to say that we only received the proposals a couple of months ago.

SUPPLEMENTARY TO QUESTION NO. 170 OF 1982

HON J BOSSANO:

Would the Chief Minister agree that the proposals of which I am fortunate to have been given a copy in fact appear on the surface, certainly to a layman, to make very sound reading and that there seems to be a great deal supplemented both from the conservation point of view and from the point of view of providing a tourist attraction in Gibraltar which are the essence of the argument? Would he not agree that on the surface they appear to make a lot of sense?

HON CHIEF MINISTER:

It makes a lot of sense. We will have to wait to see how much it costs because I always believe that for the meagre rations that appear on the estimates for the keeping of the apes, the attraction to the tourist is out of all proportion to the cost to us of keeping them there. But, for so long may they stay.