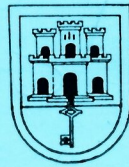


GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

6 July 1983
247 to 307

6.7.83

NO. 247 OF 1983

ORAL

THE HON A J HAYNES

Sir, will Government state their policy as regards general rates and will Government state their proposed time-scale for increases, if any, in the general rates?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the rating system in Gibraltar is prescribed by Section 310 of the Public Health Ordinance. This provides, inter alia, that domestic premises are to be rated by comparison with the rents at which dwelling houses owned by the Government are let to members of the general public. The same section stipulates that the assessment of commercial premises shall be based on the estimated rent at which the premises might reasonably be expected to let from year to year, that is to say, at market value.

It has been the policy to cushion the effect of rent increases for domestic premises on the rates by providing that the effect of these increases should not be reflected in the rates for a period of two years. Thus, the Government rent increases of July, 1981, were reflected in the Valuation List from April, 1983.

The criteria for the assessment of commercial premises is determined by the state of the property market, without any Government interference. Future increases are a matter for decision in the light of the Government's overall financial strategy.

SUPPLEMENTARY TO QUESTION NO. 247 OF 1983

HON A J HAYNES:

Will the Hon Financial and Development Secretary confirm that as regards the raising of general rates, that levy on people, that the burden is not equally distributed and that those in Government dwellings are better off?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Sir, I won't agree.

MR SPEAKER:

Next question.

NO. 248 OF 1983

ORAL

THE HON A T LODDO

Mr Speaker, how many vehicle licences for the year ending 31st May, 1984, were uncollected as at 30th June?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Sir, 1,924 licences of vehicles which had been licensed during 1982 had not been collected by the 30th June, 1983.

SUPPLEMENTARY TO QUESTION NO. 248 OF 1983

HON A T LODDO:

Mr Speaker, what does Government intend doing to collect the monies owed from these licence fees?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Well, Sir, it would be a little difficult for some of them because over 1,000 have disappeared; 821 have gone over the chute into the sea having been collected by the Police and dumped and about 250 motor vehicles have left Gibraltar and are unlikely to return so it leaves about 800-odd which we have got to pursue.

HON A T LODDO:

Mr Speaker, does this in fact take into account vehicles that are being sold from Gibraltar duty free or is it merely vehicles that were registered in Gibraltar because I notice that there is now a scheme whereby vehicles are sold duty free, they can be collected in Spain so are they registered in Gibraltar or will it mean less revenue for the Government in that when they come back they will not be new and they will have to pay less duty?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

If they are in Spain and are purchased and don't come into Gibraltar, a person will not have to pay Gibraltar duty on them. If they come into Gibraltar at a later date they will pay duty on the value assessed by Customs at the time of import.

HON A J HAYNES:

Mr Speaker, will the Hon Financial and Development Secretary confirm that a number of these vehicles which are unlicensed are in fact cars which have been sold or are supposed to have been sold as second hand cars by car dealers?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I couldn't say.

MR SPEAKER:

With respect, that is not the sort of information that Government can give. The Government can give you information as to how many cars have been licensed and how many licences have been collected. The reasons why they have not been collected is not their responsibility.

HON A J HAYNES:

Would the Financial and Development Secretary confirm that a number of second-hand car dealers have cars on the public highway without valid licences?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I would have to look into that, Mr Speaker, but they have probably got a dealers licence running under trade legislation plates.

HON A J HAYNES:

The question is will the Member confirm that the facts are as I have stated without any dealers licence or any other thing and that the highway is being used as a storeroom-cum - front window without the payment of taxes and the inconvenience caused to other users of the highway?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, I cannot confirm it, I can merely undertake to look into the statement or allegation.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Will Government state how many instances there have been at the frontier of detected attempted illegal importation of meat products and what action has been taken in those cases?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Sir, there have been 631 detections in connection with the attempted illegal importation of meat products since the partial opening of the frontier. In all instances the goods have been seized and destroyed under Customs supervision and no further action taken as the quantities detected have not warranted prosecutions.

SUPPLEMENTARY TO QUESTION NO. 249 OF 1983

HON G T RESTANO:

Have these been isolated individuals or have there been people repeating the offence?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No one has repeated, all have been different individuals.

HON G T RESTANO:

Mr Speaker, are in fact, destruction certificates obtained by the Customs Officers?

HON ATTORNEY-GENERAL:

Mr Speaker, if I may answer, by agreement with the Financial and Development Secretary. I did undertake at an earlier meeting of the House to look into this. I am sorry I should have taken so long to do so but the answer is that when meat is detained by the Customs officials, the name and address of the person concerned is recorded in the Station's Detention Book and a description of the goods seized is also recorded.

HON G T RESTANO:

Are destruction certificates obtained when the goods are destroyed?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, the officer supervising the destruction certifies that the goods have been destroyed in the Detention Book.

MR SPEAKER:

Next question.

6.7.83

NO. 250 OF 1983

ORAL

THE HON G T RESTANO

Will Government state the total amount of revenue derived from import duty at the frontier since the partial opening?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Sir, the total amount collected up to and including 29th June, 1983, was £26,087.19.

THE HON MAJOR R J PELIZA

Has Government given consideration, as the Financial and Development Secretary said they would, to exclude the CIF element from the amount for which duty is charged on imports and if so, could they state their conclusion and the reasons for arriving at them?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Sir, Government has given consideration to charging duty on the FOB rather than on the CIF value of goods imported and have decided to continue charging on the CIF value as this follows EEC Regulations. All members of the EEC collect duty on the CIF value.

SUPPLEMENTARY TO QUESTION NO. 251 OF 1983

HON MAJOR R J PELIZA:

But since we are not within the tariff barrier, does this regulation strictly apply to Gibraltar and if so could the Financial and Development Secretary look into the question and see if this can be excluded?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

We have looked into the question, Mr Speaker. It is true that we are outside the EEC for the common customs tariff. On the other hand, we try to follow EEC Regulations where we think they are of value and in this case they are of value. Under the EEC Regulations this will need an amendment to the Ordinance and we are going ahead in preparing the papers on this to provide that where the insurance and freight is calculated from, say, London to Gibraltar and it is coming by sea and stopping off at a European Port en route, an EEC port, then the proportion of the total distance covered is only the last leg of the journey from the borders of the Community into Gibraltar so that we could charge very much less for freight than we are doing at the moment and this could meet the point of the Hon Member about the cost of goods from England or from Northern Europe and it would obviate problems which I explained last time that it would make, if we charged on FOB it would put goods from South-East Asia on a par with goods from Europe which we were not anxious to do.

HON P J ISOLA:

Mr Speaker, I think this is an important point of principle. Surely, if under the protocol for Gibraltar, Gibraltar is excluded from the Customs Regulations of the EEC, it is wrong in principle, surely, to accept that we should be bound by an EEC Regulation relating to the way you assess duties, because if we accept this, Mr Speaker, we will be accepting a lot of other things which have nothing to do with revenue. We have had the problems of the Companies Ordinance, a lot of other problems. Surely, if we start accepting this one which is clearly not applicable to Gibraltar we are running into trouble.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I am sorry, Mr Speaker, I just do not agree. We look at the EEC Regulations, it doesn't apply to us, we decide whether it makes sense in the circumstances of Gibraltar. If it does we apply it, if it doesn't we don't. In this case it does and we apply it, if it didn't we wouldn't.

HON P J ISOLA:

But surely, Sir, is the Government not aware of the recession that exists in Gibraltar and that the measure proposed by my Hon and Gallant Friend was a measure to try and make Gibraltar more competitive? Is it not the Government's policy to do this?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Sir, and I said what the Government is going to do to make Gibraltar more competitive. We are going to change the Ordinance so that we can apply what is an EEC Regulation to limit the freightage costs from the nearest European port.

HON P J ISOLA:

Mr Speaker, what happens in the case of ships that do not call at European ports and what happens in the case of ships which, for example, take stuff from Spain and go to European ports, are they to be benefitted as against people who import directly from the United Kingdom to Gibraltar? Mr Speaker, I just cannot see why Government is making this distinction.

MR SPEAKER:

Next question.

NO. 252 OF 1983

ORAL

THE HON W T SCOTT

Sir, is there any valid reason why 20p coins are not freely circulated in Gibraltar?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Sir, the number of 20 pence coins in circulation is small because local banks have not detected a demand and have not therefore indented for these coins from the Royal Mint.

SUPPLEMENTARY TO QUESTION NO. 252 OF 1983

HON W T SCOTT:

Does Government not think it advisable that 20p coins should be circulated in Gibraltar?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, Sir, the circulation of both notes and coins is a function of demand and any Government has a passive role in the supply of those coins. If any coins or notes are required, if people go to the bank and ask for them, the bank will indent for them and get them. It is no good our saying to the banks: "We think people should have 20p coins therefore indent for them", we do not know whether people will want them. At the last meeting of the House I undertook in reply to a question by an Hon Member across the floor, to look at the possibility of introducing a Gibraltar coinage and as part of that exercise we are going to discuss with representative groups, including housewives, traders and the like, what sort of coins they would like in a Gibraltar coinage and the possibility of a demand for a 20p coin and indeed for a one pound coin would come out of that survey.

HON G T RESTANO:

Mr Speaker, I do not quite understand. How can the Hon Member say that there is no demand or that it had been gauged that there will be no demand when there have never been 20p coins circulating freely to enable the banks to make a judgement, surely?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

There is no demand because people have not asked the bank for them. If a trader wants 20p coins he will go to the bank and say: "I want so much money, so many in £1, £5 and £10 and in coinage I want this, that and the other" and he can ask and he will be given it and if they have not got it they will indent for it.

HON G T RESTANO:

My understanding is that they do not ask because they think that they are not available.

MR SPEAKER:

Next question.

NO. 253 OF 1983

ORAL

THE HON A T LODDO

Mr Speaker, how many prosecutions for speeding and reckless or dangerous driving have there been since 1st January, 1983, and how many of these have been against motorcyclists?

ANSWERTHE HON THE ATTORNEY-GENERAL

Sir, there have been 49 prosecutions and this includes 17 motorcyclists.

In addition a further 118 alleged offenders have been reported and their cases are pending; this includes 74 motorcyclists, 36 of whom were reported in the past ten days.

SUPPLEMENTARY TO QUESTION NO. 253 OF 1983

HON A T LODDO:

Mr Speaker, would the Attorney-General know perchance if some of these are persistent offenders?

HON ATTORNEY-GENERAL:

Mr Speaker, no, Sir, my statistics do not go into it to that extent but of course the law does provide that persistent offenders run the risk of disqualification.

MR SPEAKER:

Next question.

NO. 254 OF 1983

ORAL

THE HON A T LODDO

Mr Speaker, can the Minister for Health say whether anything is being done to minimise the smoke and fumes nuisance from the ventilation shaft below "Castle House", as I requested in my letter to him of 20th April, 1983?

ANSWERTHE HON THE MINISTER FOR EDUCATION AND HEALTH

Sir, the ventilation shaft in question is the property of the MOD and, as such, does not come under Government control. I am informed, however, that the smoke and fumes exhausted via this ventilation shaft is closely monitored and every effort is already being made to minimise the nuisance which is not a daily one, but occurs mainly when the diesel pumps are used under certain weather conditions.

SUPPLEMENTARY TO QUESTION NO. 254 OF 1983

HON A T LODDO:

Mr Speaker, could I ask the Minister what in fact are the measures that are being taken because from where I see the ventilation shaft they do not seem to be very successful?

HON J B PEREZ:

Mr Speaker, the matter at present is being pursued with the Ministry of Defence but I have to say that any long-term solution such as extending the ventilation shaft or re-cycling the exhaust outlets would require very careful consideration since the actual working conditions of the pumps, exhaust pressures, etc, would have a bearing on the design and success possibility of any such long-term measures. Let me add by way of further information that as far as these pumps are concerned all the information is of a restricted and of a highly confidential nature because it controls all the fuel depots within the Rock which go to submarines etc, but the matter is being at present pursued with the MOD to see whether in fact the nuisance can be lessened as it exists today.

HON A T LODDO:

Mr Speaker, I do not believe I have had an answer. My question was what, in fact, are the measures that have been taken?

HON J B PEREZ:

The only measures that we have been taking at present as far as my department is concerned is in fact as a result of a letter we have been monitoring the

MR SPEAKER:

I think you are being asked what measures have been taken to minimise the nuisance.

HON J B PEREZ:

We are just monitoring the situation and we have put a request to the Ministry of Defence to see whether ways can be found to minimise the nuisance but as yet nothing has been done.

HON A T LODDO:

Nothing has been done.

HON J B PEREZ:

As yet no.

MR SPEAKER:

Next question.

NO. 255 OF 1983

ORAL

THE HON G T RESTANO

Mr Speaker, is it still the governing Party's policy to include full dental treatment in the Group Practice Medical Scheme?

ANSWERTHE HON THE MINISTER FOR EDUCATION AND HEALTH

Sir, present financial constraints prevent the Government from extending dental treatment under the GPMS. The matter will be kept under review.

SUPPLEMENTARY TO QUESTION NO. 255 OF 1983

HON G T RESTANO:

What would the cost be, can the Minister tell us that?

HON J B PEREZ:

The estimated recurrent expenditure for one year is in the region of £349,000, that is recurrent expenditure which does not include any capital and for reprovisioning or finding them a suitable site for the setting up of a dental clinic.

HON G T RESTANO:

I take it then that the Government party has gone back on its policy to have full dental treatment, is that correct?

HON J B PEREZ:

No, Sir, I think if the Hon Member had listened carefully to my answer, I said "present financial constraints prevent the Government from extending dental treatment under the GPMS".

HON G T RESTANO:

As it appears that these financial constraints will continue for quite some time I take it that there is no likelihood of this being implemented, is that not correct?

HON J B PEREZ:

I did also add, Mr Speaker, to my answer that the matter is being kept under review.

MR SPEAKER:

Next question.

NO. 256 OF 1983

ORAL

THE HON G T RESTANO

Would Government explain who is entitled, under the Group Practice Medical Scheme, to dental treatment?

ANSWERTHE HON THE MINISTER FOR EDUCATION AND HEALTH

Sir, dental treatment is not included under the provisions of the Group Practice Medical Scheme.

SUPPLEMENTARY TO QUESTION NO. 256 OF 1983

HON G T RESTANO:

Who is entitled then to free dental treatment?

HON J B PEREZ:

We do provide a dental scheme for school children under the provisions of the Education Ordinance. Persons on supplementary benefits receive dental treatment and we also provide an emergency extraction service.

THE HON G T RESTANO

Would Government consider including under the Group Practice Medical Scheme items essential for diabetics as is done in the UK?

ANSWERTHE HON THE MINISTER FOR EDUCATION AND HEALTH

Sir, Government is already providing essential items for diabetics in the same manner as for persons suffering from other illnesses.

SUPPLEMENTARY TO QUESTION NO. 257 OF 1983

HON G T RESTANO:

Is it not the case that in the United Kingdom the items which are essential to diabetics are in fact given free, such as insulin and so on?

HON J B PEREZ:

Insulin is provided free of charge here in Gibraltar as well.

HON G T RESTANO:

Disposable syringes, surgical spirit, that sort of thing which is essential for the use of the insulin?

HON J B PEREZ:

It is a matter, Mr Speaker, of defining what is meant by essential items. As far as syringes are concerned what the department does is we have a means test and people whose salary or whose income is below a certain amount do in fact get the syringes free of charge but there is a means test for that.

HON G T RESTANO:

So therefore the Group Practice Medical Scheme is not in line with the United Kingdom, is that correct?

HON J B PEREZ:

No, but in the United Kingdom you pay £1.30 per item and here you pay much less.

MR SPEAKER:

Next question.

THE HON G T RESTANO

Is the Minister for Medical Services now in a position to make a statement, as promised in the last meeting of the House of Assembly, regarding the preferential treatment of private as apposed to G.P.M.S. patients when obtaining appointments with consultants at St. Bernards's Hospital?

ANSWERTHE HON THE MINISTER FOR EDUCATION AND HEALTH

Sir, I did not promise at the last meeting to make any statement on the general issue of private or GPMS patients.

I did however, agree to make a statement on a specific case about which the Hon Member spoke to me. The answer is as follows:-

The case referred to me following Question No 25 of 1983 has been thoroughly investigated by my department. The patient concerned requested an appointment under GPMS on the 26th April 1983 and was seen by the Consultant Ophthalmologist on the 19th May 1983. I do not consider this waiting time to be excessive given it was not an urgent case.

I am also satisfied that the patient concerned was not informed that she would be seen quicker if she elected to go privately.

The Consultant concerned only has one weekly private clinic. This is normally held on Thursdays or Fridays and on average only 1 or 2 private patients are seen. Contributors of the GPMS are not encouraged in any way to go privately.

SUPPLEMENTARY TO QUESTION NO. 258 OF 1983

HON G T RESTANO:

Is it not a fact, Mr Speaker, that the particular patient concerned asked for a GPMS appointment on the 26th April, was told at the time that she would be seen some time in June and then going privately was seen two days later?

HON J B PEREZ:

No, Mr Speaker, that allegation has not been confirmed by the information I have received from my department.

HON G T RESTANO:

Mr Speaker, I do not know to what extent this is a cover-up.

MR SPEAKER:

No, with due respect, you have asked for information and you have been given the information. Whether you want to do something about it is another matter but I do not think we can go beyond that. In other words, if you want to challenge that information and you have the evidence to challenge it, it is another matter but you should be able to confirm. If you say it is a cover-up you are entitled to say: "Don't you believe that this is a cover-up for

the following reasons," and you give the evidence but I do not think one must make allegations and not substantiate them.

HON G T RESTANO:

Well, I have given the information.

MR SPEAKER:

No, you have been told exactly what has happened and you have been given a full answer.

HON G T RESTANO:

And I am saying that that is not exactly what has happened.

MR SPEAKER:

Fair enough, you do not accept it.

HON G T RESTANO:

I do not accept that. What actually happened was as I have just stated.

HON J B PEREZ:

All I can say, Mr Speaker, is that I undertook to investigate the matter. I am satisfied, as far as I am concerned, that the information I have been given which I have given to the House is in fact the correct one.

MR SPEAKER:

Next question.

THE HON G T RESTANO

ORAL

Will Government state what are now its intentions with regard to enforcing legislation, passed by Government majority, compelling householders living in private accommodation to have fire extinguishers in their dwellings and furthermore has Government decided whether the cost will have to be met by the landlords or by the tenants?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, Government does intend to enforce legislation requiring householders living in private accommodation to have fire extinguishers in their dwelling. The necessary briefing instructions for the Attorney-General are now being prepared to make regulations. It is still to be decided upon whom the cost is to fall.

SUPPLEMENTARY TO QUESTION NO. 259 OF 1983

HON G T RESTANO:

Does the Minister know when he is likely to bring the legislation to the House, the reviewed regulations to the House?

HON DR R G VALARINO:

Mr Speaker, I wish Mr Haynes would not provide any asides. Having said that, we hope and in fact I think the Attorney-General hopes, to bring the regulations to the House after the summer recess. In fact, the Chief Minister said he would bring the regulations to the House so that the Opposition would have a chance to see them, study the regulations and put any points they wish on the regulations themselves.

HON G T RESTANO:

Mr Speaker, since the process now seems to be in its final stages, how is it that Government cannot say and have not taken the decision as to who is going to pay for this?

HON DR R G VALARINO:

Mr Speaker, Sir, there are three items left outstanding as a matter of policy. One is the cost to the landlord or the tenant, the other one is enforcement and the other one is the inspection of premises. These points have to be finally decided by Government in order that the Attorney-General can bring the appropriate regulations to the House. It is a matter of policy, Sir.

HON G T RESTANO:

Mr Speaker, I have not had an answer to that. If it has progressed so much how is it that they have not taken a decision yet?

MR SPEAKER:

Because the question as to who is going to be charged is a matter of policy on which the Government has not taken a decision yet until the regulations are ready.

HON G T RESTANO:

Mr Speaker, is it still the position which the Minister I think informed the House at the time that legislation was brought to the House, that it would not cost any more under the Head of the Fire Service to do the inspection for this?

HON DR R G VALARINO:

Yes, Sir.

HON G T RESTANO:

It will not cost any more and there will be no extra staff required?

HON DR R G VALARINO:

It won't cost any more.

HON A J HAYNES:

Mr Speaker, on a point of clarification. Is my understanding of the answer given by the Minister for Municipal Services correct in that a brief has been sent to the Attorney-General to prepare regulations when in fact Government also admits not having finalised their policy issue, is that correct?

MR SPEAKER:

No, I do not think we are going to go through the issue. I am very clear-minded on what the Government has said. The Government has said that they have now progressed and decided that the matter will be put into operation, that the Attorney-General is preparing the relevant regulations, that there are certain matters of policy on which they still have to take a decision and that in those matters the regulations are not being prepared, it is as simple as that, I have no doubt in my mind as to what has been said.

HON P J ISOLA:

Mr Speaker, did I not understand the Minister to say that a brief for the Attorney-General was being prepared to draft the regulations and how can this brief be prepared without the essential policy decision as to who pays for the thing and the other points that he says are outstanding? Is it not in truth and in fact the fact that the Government does nothing about this until a question is asked in the House?

HON ATTORNEY-GENERAL:

I think the Minister has no objection to my answering because this is really a matter of administrative detail, if I may say so, Mr Speaker. The position is simply that the departmental officials have met with me, they have put forward various proposals which we have talked about, there are points that I have to refer back to Government, the points already mentioned, for a decision to be taken, the officials do not trouble Ministers until such time as the matter is ready for a final decision to be taken.

HON P J ISOLA:

Can the Attorney-General give an indication of how long it takes Government to take decisions because it seems to me, Mr Speaker, with the greatest respect to the Hon and Learned Attorney-General, that the legislation was passed some considerable time ago, over a year ago if not more, and it seems to me that if this is an indication of the time it takes Government to make decisions we will never have a decision on the Naval Dockyard either.

MR SPEAKER:

Next question.

NO. 260 OF 1983

ORAL

THE HON G T RESTANO

Is it Government's intention to remove those telephone booths that have been vandalised, are an eyesore and will no longer be required in the future?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Yes, Sir. The Department has already removed vandalised telephone booths at Varyl Begg Estate, Laguna Estate and RAF New Camp, and it is Government's intention to remove the following vandalised booths:

- (1) 2 at North Mole
- (2) 1 at Red Sands Road (to be re-sited)
- (3) 2 at South Barracks
- (4) 1 at Europa Flats (to be re-sited)

SUPPLEMENTARY TO QUESTION NO. 260 OF 1983

HON A J HAYNES:

Mr Speaker, in the same way that they are removing vandalised telephone booths, are they going to increase public telephones, for instance, at the beaches? I know it is not written in his brief but perhaps the Minister knows.

HON DR R G VALARINO:

I need notice of that question, Mr Speaker.

HON W T SCOTT:

Mr Speaker, are those vandalised telephone booths that are going to be shortly removed or the ones that have been removed, are they going to be replaced with others less subject to vandalism?

HON DR R G VALARINO:

Yes, the ones that are going to be re-sited are going to be refurbished and they are going to be put into working order. This leaves a substantial number of booths which will be required and put back into operation within Gibraltar.

HON W T SCOTT:

Are there any other areas to be covered by telephone booths other than replacing the ones that have been vandalised, that the department will shortly be removing?

HON DR R G VALARINO:

Yes, Mr Speaker, one is as I mentioned in the budget debate, I mentioned that several telephone booths would be put up along Main Street and the others are in the Estates, like Varyl Begg and Laguna, Sir. Unfortunately, the amount of vandalism at Laguna Estate and Varyl Begg has reached such a high proportion that we can no longer have telephone booths there and now we are discussing the problem with the Committee from Laguna Estate and Varyl Begg as to where we can put booths or telephone kiosks of some form so that they can be looked after and that vandalism does not occur and therefore public money is not expended unnecessarily.

HON MAJOR R J PELIZA:

Doesn't the Minister think that rather than give way to vandals and therefore deprive the tenants of that Estate of a public service that I think the Government should provide, he should try and get the Police to find out who are the vandals prosecute them and stop that sort of thing going on in Gibraltar?

HON DR R G VALARINO:

Mr Speaker, that is a hypothetical question which I am afraid is beyond my capabilities to answer.

HON MAJOR R J PELIZA:

Mr Speaker, I cannot see what the hypothesis of that is. Doesn't the Minister think that there is no hypothesis in this in that (1) the Minister has just stated that the booths are being vandalised and (2) that he is going to take them away? The question is a perfectly reasonable one, would he try to get the Police to stop vandalism and therefore by keeping the booths there, carry on providing a service to the tenants in those Estates which I think is very necessary for those who do not have telephones? There is no hypothesis about that.

HON DR R G VALARINO:

Mr Speaker, this is a law and order problem. We have contacted the Police on various occasions to try to prevent vandalism and really it is up to them to prevent the vandalism but we can go no further than that, it is a law and order problem.

HON MAJOR R J PELIZA:

What the Minister is saying is that he has already been pressing the Police to stop this sort of happening and notwithstanding the great size of the Police Force in Gibraltar they are incapable of stopping them. What other things then are they incapable of stopping and could the Chief Minister then

MR SPEAKER:

No, order, we are getting beyond the orbit of the question. I think the Minister has given an answer, he has said: "We have reported the matter to the Police and it is up to the Police to enforce the law".

HON MAJOR R J PELIZA:

Mr Speaker, it is very, very important for the members of those Estates to have a public telephone.

MR SPEAKER:

In fairness to the Minister he has said that he is in contact with the Tenants' Associations in order to be able to find appropriate sites for the purposes of providing the service without the telephones being vandalised. I think we have had the answer, in fairness to the Minister.

HON MAJOR R J PELIZA:

If the Minister is happy that he is going to provide a service and he is therefore going to give way to vandalism which I think is very unfortunate that we should do that, then it is up to the Government, I certainly would not behave in that way.

HON A J HAYNES:

I know that he has not had notice of this matter, but will the Minister look with some urgency into the introduction of public telephones at beaches at least for the duration of the summer months? Prior to now, Mr Speaker, people who wanted to make a phone call were entitled to do so at bars, etc, because the cost was nil. Now this is not the case and I would like the Minister to look into the matter.

HON DR R G VALARINO:

Mr Speaker, Sir, I have already looked into that. At 99% of beaches there is an emergency telephone for the Police and the life-guards which could be used in an emergency. Apart from that, as the Hon Member has just said, there are telephones at the bars and on payment you can get through without any problem at all. The problem has already been looked into by me to make sure that in case an emergency arose somebody can ring for an ambulance straight away without any problem.

HON A J HAYNES:

I am quite confident that there are emergency telephone facilities, I am more concerned with much more mundane telephone facilities to mothers who want to find out what is going on at home or whatever, that sort of thing.

HON DR R G VALARINO:

Mr Speaker, on that one, Sir, if you have a public telephone booth you have to put in money. If you go to the bar you have got a little portable telephone which you have got to put money in the same way so obviously the answer is still the same, the facilities are there whether it is a booth or just a little instrument, the facilities are there.

HON W T SCOTT:

One final one, Mr Speaker, arising from the last but one answer that the Hon Member made. Does the Government not consider or agree, in fact, that if there is an emergency telephone there, as the Minister said, it is held within the confines of the office or the workroom of the life-guards and that determines that the life-guard has to be there? Where there are no life-guards present because it is before the start of the official bathing season, such an emergency telephone is not available to the public and under those circumstances I feel that the Minister ought to look at it in the light of the recent drowning at Catalan Bay.

HON DR R G VALARINO:

I will do that, Mr Speaker.

HON A J HAYNES:

Is the Minister saying that every bar in the vicinity of beaches has one of these telephones, that is not my experience?

HON DR R G VALARINO:

Yes, Sir.

HON A J HAYNES:

He glibly tells us that there are these telephones with an apparatus attached thereto, can he state where these are situated? Has he requisitioned or made the enquiries to put them in or what?

HON DR R G VALARINO:

Mr Speaker, Sir, the requisitions come from bars and we put them in. It may be that a particular beach has not got this type of telephone but as the Telephone Department is developing and big strides have taken place since I have been Minister for Municipal Services, I am sure that this problem will be overcome.

HON A J HAYNES:

Mr Speaker, the Minister has

MR SPEAKER:

With respect, this is beyond the orbit of the question. I think we have ventilated the matter. Next question.

NO. 261 OF 1983

ORAL

THE HON G T RESTANO

What has been the extra revenue to Government since October, 1982, resulting from the metering of telephones broken down into trunk and local calls?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, the extra revenue to Government from 1st October, 1982, to 31st March, 1983, has been in the order of £64,000, broken down into £50,000 due to local call metering and £14,000 due to international traffic.

SUPPLEMENTARY TO QUESTION NO. 261 OF 1983

HON G T RESTANO:

Mr Speaker, since the 31st March.

HON DR R G VALARINO:

Sorry, 31st March, 1982, I beg your pardon, I said 1983.

HON G T RESTANO:

What about since March, 1983?

MR SPEAKER:

But that is not the question you have asked. You have asked: "What has been the extra revenue to Government since October 1982, resulting from the metering of telephones broken down into trunk and local calls?"

HON G T RESTANO:

Since October, 1982, there is a whole quarter which has not been included.

MR SPEAKER:

Fair enough, the quarter has just finished but in any event if the Minister is in a position to reply he can, by all means.

HON DR R G VALARINO:

If the Hon Member will forgive me I do not have figures beyond March, 1983.

HON G T RESTANO:

Mr Speaker, why is that?

HON DR R G VALARINO:

Because they were not asked for.

HON G T RESTANO:

Surely these meters are being read all the time they are in the department, how is it that it cannot be checked? A whole quarter has gone, two months, three months.

HON DR R G VALARINO:

Mr Speaker, Sir, if the Hon Member wants to know the answer to a specific question he should frame it accordingly. He should not raise it as a supplementary because obviously I try to find the answer to his question and this question does not arise from the original question.

MR SPEAKER:

In any event you are not in a position to give the answer.

HON G T RESTANO:

Mr Speaker, I am sorry, I cannot accept that. I think it is quite clear; what has the extra revenue to Government been since October, 1982?

MR SPEAKER:

And you have been told that they have figures up to the 31st March, 1983, and that they cannot give the figures beyond that date.

HON G T RESTANO:

But the Minister is saying that it does not arise out of the question, I do not think that he is correct at all.

HON DR R G VALARINO:

Mr Speaker, Sir, the last quarter happened to be April, May and June and I certainly have not got the figures for that quarter, Sir.

MR SPEAKER:

I think that is reasonable.

HON G T RESTANO:

How long does it normally take to process those figures and when would the Minister have those figures at the end of a quarter?

HON DR R G VALARINO:

Mr Speaker, Sir, again this is a matter for accounting and not for me.

MR SPEAKER:

I think we are wasting time now. The quarter has just ended, he has given you the figures that are available and that the figures for the last quarter are not available, it is as simple as that. Next question.

THE HON G T RESTANO

Can Government explain why it has been found necessary to reallocate £4,900 under the Electricity Undertaking for an initial investigation to pay for a preliminary visit by a team of the British Electricity International Company Ltd?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, the preliminary visit by a team from the British Electricity International Ltd took place late last year and it was envisaged that the cost would be met from savings and paid before the 31 March, 1983.

In the event the invoice from BEI was not received until the 12 May. To meet this invoice it was decided to reallocate the cost of £4,900 from within Head 4 to a new Subhead 26, Consultancy Services.

SUPPLEMENTARY TO QUESTION NO. 262 OF 1983

HON G T RESTANO:

I think I heard the Minister say that he thought there would be some savings, can he elaborate on that? What savings was he talking about?

HON DR R G VALARINO:

Mr Speaker, it would be savings from within the vote before the end of the year.

HON G T RESTANO:

In what areas?

HON DR R G VALARINO:

Reallocation from within certain sections in Head 4, Sir.

HON G T RESTANO:

These gentlemen come here for an initial investigation, what have their findings been?

HON DR R G VALARINO:

Mr Speaker, Sir, though I feel it has nothing to do with the original question, let me say that the British Electricity International Ltd is a company formed by the Electricity Council in Britain to deal exclusively with matters concerning overseas Electricity authorities and who provide a consultancy service. This company belongs entirely to the Electricity Council which is a nationalised body but beyond that I am afraid this does not form part of the question, Sir.

HON G T RESTANO:

Mr Speaker, these gentlemen have come out to gather data for the proposed revision of the existing form of productivity agreements in the department. Don't we have, Mr Speaker, a Steering Committee in the Electricity Department looking at precisely this area?

HON DR R G VALARINO:

Sir, the Steering Committee is looking into a lot of areas. As the Hon Member has said, the purpose of the visit was to investigate the feasibility of introducing productivity schemes on the lines of those operated by the Central Electricity Generating Board and the Area Boards in the United Kingdom. If this takes place then the present productivity scheme will not continue and the productivity scheme produced by the Central Electricity Generating Board will be the order of the day, Sir.

HON G T RESTANO:

Mr Speaker, that is going at a complete tangent from the question that I asked. There is a Steering Committee which is costing a lot of money, the Chairman is costing a lot of money, which has been set up in order to cover areas, I believe, such as productivity agreements. Why is it necessary, if the Steering Committee is looking into that, to bring in somebody else, this other company, to also look into the productivity agreements, is it that the Steering Committee cannot do it?

MR SPEAKER:

You are being asked a simple question. If the Steering Committee is dealing with productivity why has there been a need to bring these gentlemen to advise on productivity, it is as simple as that?

HON DR R G VALARINO:

Essentially, Mr Speaker, because they need further advice on this problem.

HON G T RESTANO:

Is it then that the Steering Committee cannot reach agreement and these gentlemen are out as sort of mediators?

HON DR R G VALARINO:

No, not at all, Mr Speaker. All that is required is data for the Steering Committee and this data is supplied by BEI.

HON G T RESTANO:

Will they be coming again and if so for how long will they be coming and what is the eventual cost?

HON CHIEF MINISTER:

How long can a question be stringed along further and further on immaterial matters which arise from the question?

MR SPEAKER:

Well, I think it is fair enough to ask are they coming again, to your knowledge. If you do not know of course you do not have to reply.

HON DR R G VALARINO:

Mr Speaker, they may well be coming along, Sir, because this is difficult to say. As far as I know, should they come, the visits would be for a limited amount of time and very short.

HON G T RESTANO:

He doesn't know what it would cost?

MR SPEAKER:

No.

HON G T RESTANO:

I must say, Mr Speaker, as far as the Chief Minister is concerned, when he says that we are stringing questions along

MR SPEAKER:

No, I am not going to have a debate as to whether the Chief Minister has made a statement.

HON G T RESTANO:

He has made a statement.

MR SPEAKER:

And I have allowed the question to be asked and that is the end of the matter. Next question.

THE HON G T RESTANO

What plans do Government have to train staff of the Electricity Department in advance in order that their training is completed by the time the Department is in a position to take over and run the Waterport Power Station?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, the training which will be provided can be categorised under three main headings:

- a. Training at the Manufacturers Works
- b. On-the-job training at site
- c. Off-the-job training at site

While no final decision has been taken on the actual nature and extent of training, primarily because manufacturers of key plant items are in the process of up-dating courses, it can be said that training will be provided in the following subjects:

1. General Design Principles

A short series of lectures aimed at ensuring that the selection of plant, materials employed and layout adopted are understood.

2. Maintenance Techniques and Practices

A short series of briefings and informal discussions with the sole purpose of explaining the approach that is generally required in these areas.

3. Diesel Engines Principles and Practice

A combination of a period of training at the manufacturers works, on-the-job training under the guidance of representative(s) of the manufacturer and off-the-job lectures/discussions specifically designed for the Major Mk III engine.

4. Steam Raising Plant and Equipment

Talks by a manufacturers representative explaining the principles of operation.

5. Fuel Treatment

Lectures and films on the techniques employed and parameters to be maintained for efficient operation.

6. Plant Operation

A period of local on-the-job and off-the-job training allowing employees the opportunity to familiarise themselves with the nature, layout and procedures necessary for the safe and efficient operation of the Station.

It is obvious that the nature and extent of training under Item 6 above will require a certain overlapping between operation by Hawker Siddeley Power Engineering personnel and Electricity Department staff and, furthermore, that staff cannot be trained until they are selected to fill posts at the new Station. Priority has therefore to be given to training directed at ensuring safe and efficient plant operation in order to allow the earliest possible release of the contractors personnel.

SUPPLEMENTARY TO QUESTION NO. 263 OF 1983

HON G T RESTANO:

Since it appears that there is going to be this overlap, Mr Speaker, what period of overlap does the Minister envisage there will be?

MR SPEAKER:

Overlap of what?

HON G T RESTANO:

Overlap between the contractors being on site and the department taking over.

HON DR R G VALARINO:

Mr Speaker, this is impossible to say. Until the people are selected no training can be put into effect and the training will be initially aimed at releasing the contractors' personnel as soon as possible. Certain candidates will be interviewed shortly and this will be put into hand as soon as possible. Obviously, the sooner we release people from the contractors and we put on our own people the more money we are saving.

HON G T RESTANO:

May I ask, have the people not been appointed yet because the Steering Committee has not reached decisions on certain areas, is that the position?

HON DR R G VALARINO:

No, Sir, if you look at your Chronicle you will find out that certain posts are being advertised and in fact following another question, and I have got the answer here, certain posts have been advertised initially within because this is Government procedure, and outside Government service, and interviews are expected to be held shortly. Therefore this has nothing to do with the Interim Committee at the present moment, Sir.

HON G T RESTANO:

May I ask then, Mr Speaker, why have they taken so long to select people because after all the engines have been ready since the beginning of this year and one of them since November of last year. Why are they taking such an awful long time to start advertising for posts?

HON DR R G VALARINO:

Because, Mr Speaker, discussions were being held in the Interim Committee as to the manning of the Station and the requirements of personnel to man the Station.

HON P J ISOLA:

How can the Minister tell the House that the Waterport Power Station will be opened in the autumn when he has not even started to train the people who are going to man it?

HON DR R G VALARINO:

Mr Speaker, Sir, I did answer a question like this previously, in fact, I think it was from the Hon Member himself. I said that the Mark III engine is very much like some of the engines we have got at Waterport and that training, though we want extensive training, can take place on-the-job in a matter of weeks and I assure the Hon Member that the opening of the Waterport Power Station will take place in autumn as planned.

HON P J ISOLA:

Mr Speaker, is it the intention of the Government to open the Waterport Power Station with Hawker Siddeley in command and if so, why not open it now since they are already in command or in charge and running it?

MR SPEAKER:

With respect to the Leader of the Opposition, we are now widening the scope of the question. We are dealing with the training but nothing else.

HON DR R G VALARINO:

Mr Speaker, he also asked this question last time. What we want to do is to put there people of our own choosing and chosen by the Government of Gibraltar and this is one of the reasons why the Generating Station will be fully opened in September. Let me say that the official opening of the Generating Station is really a formality.

HON P J ISOLA:

Well, why hasn't that formality been carried out before then if it is a formality? It is there, it is operating, why should it await the training of these people?

HON DR R G VALARINO:

Mr Speaker, Sir, because Government considers that the best time to open this Generating Station is in the autumn.

HON G T RESTANO:

Is it not an unwise principle to do training on brand new machinery? You would not expect a learner to start learning with a brand new car. Is it not unwise, if they are going to start learning on these machines, shouldn't they be sent, perhaps, to UK?

MR SPEAKER:

I do not think it has been suggested that they are going to employ new personnel, I think what has been suggested is that they have advertised within the service and the Minister has said that they are qualified enough to be able to operate the machines and that the training will take a few weeks of exercising the machines.

HON G T RESTANO:

I think he said that in some areas but not in others.

MR. SPEAKER:

No, he said that now, most certainly, I have heard it.

HON P J ISOLA:

Mr Speaker, can I correct my Hon Friend. For him to refer to the machinery as new, is that not actually wrong? Have the machines not been there and working for a good many months, running almost into a year?

MR SPEAKER:

Next question.

NO. 264 OF 1983

ORAL

THE HON W T SCOTT

Mr Speaker, will Government inform this House of the number of personnel used by the contractor, at any given time, since the latter took over the running of the new Generating Station?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, the total number of staff used by Hawker Siddeley Power Engineering Ltd for the continuation of the extended testing of Waterport Power Station has been eighteen.

SUPPLEMENTARY TO QUESTION NO. 264 OF 1983

HON W T SCOTT:

Mr Speaker, I am not asking for the total number, I am asking at any given time since the latter took over the running, not the testing, that was the question.

MR. SPEAKER:

I think, with respect, it is impossible to give an answer to your question. At any given time could be at any minute of the day and unless you specify what you want I think the answer has been given.

HON W T SCOTT:

Mr Speaker, I am saying the running of the Station, not the testing of it.

MR SPEAKER:

That is another matter, if you wish to ask whether that is for the running or for the testing.

HON DR R G VALARINO:

Mr Speaker, Sir, I have said the total number of staff used, I have not said running or testing or anything else.

MR SPEAKER:

Yes, you have said testing, "the continuation of the extended testing of Waterport Power Station".

HON DR R G VALARINO:

The extended testing of Waterport Power Station has been eighteen, or the extended running.

HON W T SCOTT:

Mr Speaker, I find that whereas a few months ago we were given a cost of something like £19,000-plus that it was costing the Government for HSPE to run that Station, I see now on the Schedule of Supplementary Estimates that figure is now £26,000. Am I right in assuming, Mr Speaker, that if one divides £26,000 which is the weekly cost to Government of HSPE running that Station, that we are now looking at a figure of almost £1,500 per employee that HSPE is charging the local Government?

HON DR R G VALARINO:

Mr Speaker, Sir, I think the Hon Member could ask this supplementary at the next question.

MR SPEAKER:

Yes, I think we are anticipating. Next question.

NO. 265 OF 1983

ORAL

THE HON G T RESTANO

Will Government state whether the cost to date for the contractors operating the Waterport Power Station since the commissioning of the engines there owing to Government's inability to run the Station has increased from the £686,812 stated in the last meeting of this House and if so what is the latest figure?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, the cost to date for the contractors operating Waterport Power Station is £765,518. This figure includes £353,573 being funded under the contract.

SUPPLEMENTARY TO QUESTION NO. 265 OF 1983

HON G T RESTANO:

This is an enormous sum, Mr Speaker, what is the Minister doing to try and obviate having to pay already over £³/₄m for a Waterport Power Station which is there, which is running and which should have already been taken over by the Government?

HON DR R G VALARINO:

Mr Speaker, Sir, here really we again refer to a later question on the Steering Committee because this has got to do with negotiations within the Steering Committee which I believe is the last question on the electricity which is asked by the Hon Member. What I am doing is I am trying to hasten the process so that as little money as possible will be spent by Government in providing a first class service. I would not like to repeat what I said in the last House which the Hon Member took exception to about the Waterport Power Station costing a lot of money etc, etc, but certainly I am doing everything in my power to make sure that Waterport Power Station when it comes on stream we can be proud of, it is run properly and according to present practices and that we do not have any problems that may arise that may lead to the detriment of the running of the Station. One of the questions asked by the Hon Mr Scott, I have got the figure here, the figure is £19,676 per week.

HON G T RESTANO:

Mr Speaker, Sir, would the Minister not agree that in days where we are continually being told by Ministers that the money is in short supply, for the Government to have spent £³/₄m already and perhaps going on for more for that sort of a service, has been throwing money down the drain and complete and utter mismanagement.

MR SPEAKER:

What is the answer, yes or no, that is about all you can answer? Does the Minister intend to answer?

HON DR R G VALARINO:

Yes, Mr Speaker. I certainly cannot agree that Government has been throwing money down the drain, Sir, I am sorry but I cannot agree with the Hon Member.

HON A T LODDO:

Could I ask the Minister, in this sum now which has gone up from £686,000 to £765,000, does that amount take into consideration the cost of flying out the wives of the engineers operating the plant and is Government paying for this, is it entitled to pay for this?

HON DR R G VALARINO:

Mr Speaker, Sir, if I can revert to Question No. 264 on the eighteen people manning the Station. This is a skeleton staff and these are the people we are paying for. Replacements eg, illnesses or leave are not a contractual expenditure.

MR SPEAKER:

No, let us not expand the orbit of the question. You have been asked whether it includes the cost of flying out the wives of the staff, yes or no?

HON DR R G VALARINO:

Similarly expenses about wives or children coming to Gibraltar etc, are expenses not borne by Government.

HON W T SCOTT:

Mr Speaker, presumably you applied some liberality because we moved from Question 264 to 265 without me having had a chance to progress a little bit on the argument. Mr Speaker, am I right in assuming that the new Generating Station is being run 24 hours a day and on most occasions both engines are running?

HON DR R G VALARINO:

Mr Speaker, the Waterport Generating Station is being run 24 hours a day. As to whether both engines are running it really depends on the load factor.

HON W T SCOTT:

Under those circumstances, Mr Speaker, will the Minister not agree that King's Bastion is working at a very low capacity and there are occasions when King's Bastion does not work at all?

HON DR R G VALARINO:

Mr Speaker, I agree with the Hon. Member, there are times when King's Bastion is working at a low capacity or King's Bastion is not working at all but he must realise that the engines at Waterport Power Station will need overhaul and when they need overhaul then the engines at King's Bastion will have to take over.

HON W T SCOTT:

Mr Speaker, there is one final question. Would the Minister not agree therefore if that is the case that we would have expected to have seen a very substantial decrease in the cost of running King's Bastion?

MR SPEAKER:

No, this is completely out of order. The question is very clear, the question is on Waterport and not on King's Bastion.

HON G T RESTANO:

May I ask, Mr Speaker, I do not want the information now but if the Minister would like to circulate it to me at a later stage. Could I have a breakdown in broad headlines of how this £765,000 has been spent, in broad areas?

MR SPEAKER:

Will the Minister make that information available in due course?

HON DR R G VALARINO:

Mr Speaker, yes, it depends how long the House lasts and obviously I have to contact the Financial Secretary but as soon as I am able I shall write a letter to the Hon Member explaining how the sum has been broken down.

HON P J ISOLA:

Mr Speaker, am I right in thinking that in effect Gibraltar's power needs are presently being supplied by eighteen men from Hawker Siddeley?

HON DR R G VALARINO:

No, Sir.

HON P J ISOLA:

Mr Speaker, the Minister has just said to my Hon Friend Mr Scott that King's Bastion is working at a very low capacity.

HON DR R G VALARINO:

No, Sir, Gibraltar's power requirements are being provided by the two engines at Waterport and when necessary the engines at King's Bastion. The question of men I do not think has any bearing with the amount of power that we obtain from these Stations.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, I have got the breakdown of the £686,442 if the House wants that now. Operation costs - £594,553.

HON G T RESTANO:

Mr Speaker, is it a long list?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes.

HON G T RESTANO:

Well, perhaps, it could be photocopied and circulated, Sir.

HON A J HAYNES:

Mr Speaker, the Minister has told us he hopes to open Waterport Power Station as an election gimmick, will he be running the department at that time?

MR SPEAKER:

No, next question.

NO. 266 OF 1983

ORAL

THE HON W T SCOTT

Sir, what has been the cost of clearing the debris caused by demolishing the walls of the old skid generator site in Line Wall Road?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Sir, the cost of clearing the debris caused by demolishing the walls and generator foundations at the skid generator site amounted to approximately £400.

SUPPLEMENTARY TO QUESTION NO. 266 OF 1983

HON W T SCOTT:

Mr Speaker, is this in addition to the answer the Minister gave me of £2,800 as a result of Question No. 128?

MR SPEAKER:

Yes, otherwise I would not have allowed the question.

HON DR R G VALARINO:

Yes, Sir.

HON W T SCOTT:

Doesn't the Minister think that having regard to the question I put he might perhaps have been less than fair in not including that figure of £400 at the time that he gave me the original answer?

HON DR R G VALARINO:

Mr Speaker, obviously because I did not have it.

MR SPEAKER:

It had not been cleared at the time. Next question.

NO. 267 OF 1983

ORAL

THE HON G T RESTANO

Is Government in a position to state what were the total costs for the hire of the skid and trailer-mounted generators?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

No, Sir. A final account for hire charges for the skid generators has as yet not been submitted by the plant hire firm. The trailer-mounted generator had a total cost of £120,020.

SUPPLEMENTARY TO QUESTION NO. 267 OF 1983

HON G T RESTANO:

But, surely, the Minister knows how much hire he was having to pay, he should know how much the total costs are?

MR SPEAKER:

No, in fairness, you have asked for the total costs and the Minister has said he has not got the total cost, well, he has not got them. Whether he should have them or not is another matter because otherwise we go on endlessly.

HON G T RESTANO:

With all due respect, Mr Speaker, he has said that he does not have the total costs because he has not been charged by the hirers but surely he knows what the hire charges are and therefore he must know.

MR SPEAKER:

No, because there may be elements, with respect, and I am not going to answer questions, but it is very obvious, there may be elements of the costs which have not been disclosed yet by the contractors, it is as simple as that. If you had not been asking for the total costs then perhaps you would be entitled but you asked for the total costs and he has said that until such time as he is invoiced he does not know what the total costs will be. Next question.

THE HON G T RESTANO

Will the Government state whether the cost to date of the Chairman of the Electricity Department's Steering Committee has increased from the £71,499.93 stated in the last meeting of the House of Assembly and if so what is the latest figure and furthermore how many more days has the Chairman spent in Gibraltar on official business?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, Sir, the cost of the Chairman of the Electricity Department's Steering Committee has increased by £15,732.87 from £71,499.93 to £87,232.80 covering the period 16 May to 30 June, 1983.

The Chairman has spent a further 28 days in Gibraltar in his official capacity, during the same period.

In addition to the number of days spent in Gibraltar in his official capacity, the Chairman has undertaken work in the United Kingdom with Messrs British Electricity International Limited, in connection with the Steering Committee's work.

This was done on 2 and 3 June, 1983, at a cost of £718.40. These figures are reflected in the total cost of £87,232.80.

SUPPLEMENTARY TO QUESTION NO. 268 OF 1983

HON G T RESTANO:

Mr Speaker, I noticed last time that we asked a question on this it was worked out that the Chairman was getting in the region of £400 for every day that he worked. Now I see that the figure on the £15,732 that has been given, has gone to over £550 per day, why is it costing more now?

HON DR R G VALARINO:

Mr Speaker, first of all let me answer one thing, that the Chairman of the Steering Committee is not getting paid, we pay the Industrial Society and as I mentioned in Question No. 197 of 1983 and I repeat: "This takes into account the fact that from that date the Industrial Society is charging a flat rate of £1,250 per week instead of the daily rate of £250. The previous average weekly cost of the Chairman was £1,940 per week. It should also be noted that the Industrial Society fees charged to the Gibraltar Government are considerably lower than the rates applicable to those in the United Kingdom for similar consultancies". The Hon Member has suggested that the cost has gone up but if he would allow me to have a look at the figures because I do not have the figures broken down, I can break down the figures and this afternoon or tomorrow morning I can provide him with the answer he requires. I think the question that he asked was why had the figures gone up, wasn't it?

MR SPEAKER:

I think the correct question is why has the average spending gone up because I do not think it has even been said in this House that the paying by Government is based on a fixed amount and it is a question of an average going up, is that correct?

HON G T RESTANO:

In May when this was aired it cost the Government £400 for every day that this man was used and since that meeting there has been an extra added expense of £15,732, forget the £732, that is covered by something else, for 28 days of this man's time and that is nearly £550, that is a 25% increase.

MR SPEAKER:

We will leave it at that and you will get the information. Next question.

THE HON G T RESTANO

Would the Minister for Municipal Services now outline the areas where agreement has been reached in the Electricity Department's Steering Committee and also the areas where agreement has not yet been reached?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, Sir, the Electricity Department's Steering Committee has now commenced consideration on the draft document of agreement. I trust that the Hon Member will agree that outlining the contents of the document would not be in the general interest of the public at this crucial point in time nor of assistance to the Committee at this stage. However, I am satisfied that very substantial progress has been made.

SUPPLEMENTARY TO QUESTION NO. 269 OF 1983

HON G T RESTANO:

Did the Minister say the drafting of all the agreed points is being done?

HON DR R G VALARINO:

The draft document.

HON G T RESTANO:

Is it being prepared or it has been prepared?

MR SPEAKER:

It is considering the draft document so the draft must have been prepared.

HON G T RESTANO:

Does that mean that the Committee has made its agreements, has it come to final agreement if they are now preparing the draft document?

HON DR R G VALARINO:

The Hon Member must remember that the Steering Committee consists of the Staff Side and the Administration Side. What has been put forward is a draft document of agreement and this document of agreement will now be perused by the people involved in the Steering Committee and I am extremely hopeful that very great progress has been maintained and that substantial progress has been made. Let me say as well that negotiations, obviously, on the draft document of agreement will continue since the draft, obviously, is not the final document.

HON G T RESTANO:

May I ask, first of all, Mr Speaker, who in fact has prepared the draft, is it one side of the Committee?

MR SPEAKER:

No, with due respect, it is very obvious who has prepared the draft. The Steering Committee has met umpteen times, they have produced a draft document with a view to discuss, I have not been there myself but I think it is obvious that they are not considering the draft agreement for the purposes of coming to a consensus. I think it is clear.

HON G T RESTANO:

No, Mr Speaker, I do not think so.

MR SPEAKER:

I do not think we should get involved with the particular workings of the Committee.

HON G T RESTANO:

Well, I would like to know, Mr Speaker, there are two sides to that Committee, there is management and there is staff.

MR SPEAKER:

No, with due respect, there is one Committee consisting of different representation and the Committee has prepared a draft which it is considering. As I say, I am not privy to anything that has happened in the Committee but from what has been said in this House it is very obvious and clear.

HON G T RESTANO:

Well, if it comes from the Committee then does it mean that they have reached agreement in all areas?

MR SPEAKER:

No, with due respect, I am not prolonging the agony and that is what we are doing.

HON P J ISOLA:

If this is a draft document of agreement then it does not matter who draws it up but the fact there is a draft document of agreement surely implies that agreement has been reached on everything and a draft document embodying those agreements is being prepared and that is what my Hon Friend wants to know.

MR SPEAKER:

With due respect to the Hon and Learned Leader of the Opposition, the answer has been that the Electricity Department's Steering Committee has now commenced consideration on the draft document of agreement which they have prepared, I think that is obvious, and they are considering now whether they have included in this agreement what has been agreed upon by all parties, I think that must be obvious because otherwise we are going round in circles.

HON P J ISOLA:

The trouble is, Mr Speaker, with respect to the Minister, we have never had a straight answer on what the Steering Committee is doing and what it has agreed on. We are fobbed off in every meeting with progress and so forth. The latest fob is this one, a draft document of agreement. Normally, if I make an agreement with somebody and we get to the stage where we are agreed on everything, then we do a draft document and there you decide whether in fact we have put in everything that we have agreed.

MR SPEAKER:

And that is what is happening.

HON P J ISOLA:

We are asking the Minister, and he has not answered that, Mr Speaker, with the greatest respect. What we are asking the Minister is, is it his view because the draft document of agreement is being put forward, that there has in fact, subject to approval of the agreement, been agreement on all outstanding matters?

MR SPEAKER:

With respect to the Hon and Learned Leader of the Opposition what the Hon Mr Restano asked is who has prepared this agreement and that is where I interrupted but in any event let us have an answer to your question.

HON DR R G VALARINO:

Mr Speaker, one thing I would like to point out to the Hon and Learned Mr Isola is that talks between staff and management on this problem are confidential and have to be kept confidential. Therefore, press me as he may in this House to let him know what is going on and what is not going on I cannot in honour tell him exactly what is happening or what progress the Steering Committee has reached. I am sure that he, as a very intelligent man, is able to appreciate this fact and I am very sorry but I can only go as far as saying that progress is being maintained. One day, possibly in the near future, I will be able to give him details of any agreements that they have made but until then I am limited to what I can say and I think that really explains my answers in the last House and in this House to the Hon Member in a nutshell.

HON P J ISOLA:

Mr Speaker, will not the Minister agree that he has a very big responsibility to this House especially since he has now asked us to vote close on £1m to keep that Steering Committee in being and does he not think that this House deserves some explanation, and through this House the public, of this enormous public expenditure of monies on this secret cabal, if I may call it that, this secret committee, which seems to have no answers to any questions but continues to spend public monies to the tune of nearly £1m?

HON DR R G VALARINO:

Mr Speaker, Sir, I have an enormous commitment to the House and I have always shown it. Let me go back to an answer which I gave him previously when he asked me

MR SPEAKER:

No, we must not extend the question, let us leave it at that. We have ventilated the matter as far as we can at question time.

HON J BOSSANO:

I would like the Hon Minister to state quite categorically, Mr Speaker, that the Steering Committee is not responsible for spending one penny of public money and has not spent one penny of the million pounds which the Hon Leader of the Opposition said the Steering Committee has spent.

HON P J ISOLA:

No, the Minister has.

HON J BOSSANO:

I am asking the Hon Member to state that quite categorically because I certainly think the people in the Steering Committee will not accept responsibility for spending public monies.

MR SPEAKER:

Let us leave it at that, I think Mr Bossano has clarified the point he wanted to clarify.

HON J BOSSANO:

But, Mr Speaker, I am not in a position to clarify from this side of the House. I am asking the Minister to confirm whether it is correct to say that the Steering Committee has not spent one penny of public money.

HON DR R G VALARINO:

Mr Speaker, Sir, I imagine the Hon Mr Bossano is referring to Waterport and Hawker Siddeley and there I completely agree with him that the Steering Committee has not spent even a halfpenny of public monies.

HON P J ISOLA:

Will the Minister confirm that as a result of the prolongation of the discussions in the Steering Committee as a result of the sheer inability of management and employees to come to an agreement, the cost to the Gibraltar taxpayer is almost £1m?

HON DR R G VALARINO:

Mr Speaker, Sir, if I may, the only thing I can say is that, as a result of the Steering Committee, in future years we may be saved a lot of further millions of pounds due to the proper running of Waterport Power Station.

MR SPEAKER:

Order, next question.

NO. 270 OF 1983

ORAL

THE HON A J HAYNES

Sir, will Government state the average waiting time for those applicants classified as "social cases"?

ANSWERTHE HON THE MINISTER FOR HOUSING, LABOUR AND SOCIAL SECURITY

Mr Speaker, waiting time by social cases is determined by availability of pre-war accommodation and by the order of priority awarded on its merit to each case by the Housing Advisory Committee.

SUPPLEMENTARY TO QUESTION NO. 270 OF 1983

HON A J HAYNES:

Mr Speaker, I want to know whether the impetus that was achieved in attending to social cases last year has been maintained or not?

HON MAJOR F J DELLIPIANI:

Mr Speaker, if I could have worked out the average waiting time I would have given it. It is impossible to work out the average time because there are two factors involved. First is the factor of merit and then the factor of availability. You could have top grade merit and not have any house available so it could take a year. You could have merit and availability of housing and it could take a matter of weeks so it is impossible to arrive at an average.

HON A J HAYNES:

Mr Speaker, surely the average is what is the length of time that the longest classified social case has been waiting and what is the time that the quickest one has been housed?

HON MAJOR F J DELLIPIANI:

That is the average of two, Sir.

HON A J HAYNES:

If that is done with slightly more than one but with a few of them would give you the average. Mr Speaker, the point is will the Minister confirm that fewer social cases have been housed in the year 1983 than last year?

HON MAJOR F J DELLIPIANI:

Possibly so, the thing is that there are not so many houses available at this time. The more social cases you fit in the less housing you have available.

HON A J HAYNES:

Mr Speaker, we will have to start off another campaign in order to get priority given to social cases again. Will the Minister confirm that there are in excess of 200 empty houses in Gibraltar?

MR SPEAKER:

You do not have to answer that question.

HON MAJOR F J DELLIPIANI:

No, Mr Speaker.

HON A J HAYNES:

Was that no he won't confirm it, not it is not true or no what?

HON MAJOR F J DELLIPIANI:

No, I will not confirm it.

HON A J HAYNES:

Would the Minister want me to send him the list that I was given by his predecessor or not? Mr Speaker, I think the Minister is being obstreperous.

MR SPEAKER:

With respect to the Questioner, the question you have just asked has no relevance to the original question.

HON A J HAYNES:

But surely if there are over 200 empty houses

MR SPEAKER:

You wanted to know the average waiting time for those applicants classified as social cases and the Minister has told you that he cannot give you that average because it is unworkable. Whether it is correct or not is another matter.

HON A J HAYNES:

Mr Speaker, last March I asked a question in relation to social cases again: "How many have been housed as a result of being classified as social cases"? If I deviate one iota from that I am told to give separate notice. Does that mean I have to write

an essay instead of a question? Surely the Minister all he wants to know is the subject on which I have to ask a question and not continually hide behind the little prerogative of notice.

MR SPEAKER:

Next question.

NO. 271 OF 1983

ORAL

THE HON A J HAYNES

Sir, will Government publish the waiting list for housing applicants scheduled under the Catalan Bay waiting list, and will Government state the average waiting time for the first ten applicants in any category as compared to the waiting time in the general housing list?

ANSWERTHE HON THE MINISTER FOR HOUSING, LABOUR AND SOCIAL SECURITY

Mr Speaker, up to now no waiting list has been published in respect of Catalan Bay. However, such a list has been in preparation over the last quarter and will be published in the future on a quarterly basis. The first such list will be published shortly showing the position at the end of June, 1983.

It is very difficult to compute the comparative average times requested.

SUPPLEMENTARY TO QUESTION NO. 271 OF 1983

HON A J HAYNES:

Again, surely, Mr Speaker, it is a matter of mathematics. The first ten may have been waiting two years, one year, three years or whatever. Isn't that the case, Mr Speaker? Will the Minister confirm that the computation is a simple mathematical calculation?

MR SPEAKER:

The answer is that he cannot give you the average. Whether he should or he should not is another matter.

HON A J HAYNES:

Will the Minister confirm that in previous years we asked for the list to be published of the general housing list and we were told that it required fourteen secretaries and it was impossible to do and that subsequently a Minister came in and did it?

MR SPEAKER:

No, order.

HON A J HAYNES:

Will Government confirm that the average waiting time for the first ten in the general housing list is far greater than the average waiting time for the first ten in the Catalan Bay list?

HON MAJOR F J DELLIPIANI:

No, Mr Speaker.

HON A J HAYNES:

Is that no he won't confirm it or no it is true?

HON MAJOR F J DELLIPIANI:

I will not confirm it.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Will Government state whether or not they have completed their survey to determine the number of tenants who are overhoused?

ANSWERTHE HON THE MINISTER FOR HOUSING, LABOUR AND SOCIAL SECURITY

Sir, the survey on overhousing has not yet been completed.

SUPPLEMENTARY TO QUESTION NO. 272 OF 1983

HON A J HAYNES:

Mr Speaker, can the Minister nevertheless give us any indication as to the amount of transfers it is hoped to achieve as a result of this survey?

HON MAJOR F J DELLIPIANI:

No, Sir, obviously, because I have not got the survey.

HON A J HAYNES:

Has he got any figures in relation to the survey?

HON MAJOR F J DELLIPIANI:

No.

HON A J HAYNES:

Is the survey being well responded, are people writing in giving any information?

HON MAJOR F J DELLIPIANI:

The main cause for the delay has been the lack of cooperation of a great number of tenants by not answering the questionnaire sent to them and also the fact that the staff of the Housing Department were recently involved with the preparation of the rent increases.

HON A J HAYNES:

Sir, may I remind the present Minister what one of his predecessors said in March, 1983. In relation to this he said: "I think the response has been quite good so far". So which is it, one Minister says it is a good response and the next one says it is awful?

HON MAJOR F J DELLIPIANI:

The initial response was good, afterwards it petered out.

HON A J HAYNES:

Can the Minister state what percentage of replies

MR SPEAKER:

No, with respect, he has given an answer.

HON A J HAYNES:

I won't ask another mathematical question, Mr Speaker. Can I have a date question? Can the Minister tell us when he anticipates the survey will be produced?

HON MAJOR F J DELLIPIANI:

Mr Speaker, no Member opposite will ever get me to give a date and then be accused that the date has not been met so I will not give a date.

MR SPEAKER:

Next question.

THE HON A J HAYNES

Is Government satisfied with the administrative organisation of the Industrial Tribunal and will Government consider appointing Justices of the Peace to the Tribunal or in some other way facilitate the administrative organisation of the Tribunal?

ANSWERTHE HON THE MINISTER FOR HOUSING, LABOUR AND SOCIAL SECURITY

No, Sir. The Government is not satisfied with the existing administrative arrangements for the Industrial Tribunals and is looking into ways of improving the situation with a view to getting appeals dealt with more quickly.

The Government would not consider appointing Justices of the Peace to the Tribunals for the following reasons:

- (a) No difficulties are encountered with the appointment of a Chairman for the Tribunals and the delays in dealing with appeals do not arise in this respect.
- (b) It is the practice in the UK to appoint legally qualified practitioners to chair Industrial Tribunals and it is intended to continue to follow this practice in Gibraltar.

SUPPLEMENTARY TO QUESTION NO. 273 OF 1983

HON A J HAYNES:

Mr Speaker, I am glad that the Government has accepted that it is not functioning satisfactorily but there does seem to be a discrepancy. My information as to why it functions or malfunctions is that in part there is difficulty as regards the availability of a Chairman. Will the Minister, having said that that is not the case, outline what he considers to be the main problems in respect of the Tribunal?

HON MAJOR F J DELLIPIANI:

I will repeat that there is no difficulty with the present Chairman. The main difficulty lies in getting all the parties concerned to agree to dates for hearings despite the fact that the Chairman has the power to fix such dates arbitrarily. Pressure of work within departments which leads to delays in preparing cases for submission to the Tribunal, recent increases in the manning levels in the department should lead to speedier action in the future, difficulties in obtaining a suitable venue for holding public hearings despite full cooperation received in this respect from the Director of John Mackintosh Hall.

HON A J HAYNES:

Mr Speaker, will the Minister confirm that one of the Chairmen of the Tribunal at his last or one of the last judgements he gave indicated in the end there was a requirement for alternative Chairmen and an increase in the Tribunal to be made?

HON MAJOR F J DELLIPIANI:

I am not aware of that, Mr Speaker.

HON A J HAYNES:

Mr Speaker, will the Minister for Labour and Social Security also confirm that the Tribunal whilst having a lawyer does not mean that the Justices of the Peace are excluded from it since they also have lawyers in their number?

MR SPEAKER:

No, that is a different matter.

HON A J HAYNES:

The question is, will Government consider appointing Justices of the Peace?

MR SPEAKER:

They have said no.

HON A J HAYNES:

They have said no on the basis that they are not legally qualified.

MR SPEAKER:

They have said no and they have given some reasons for it.

HON A J HAYNES:

My understanding of the answer is that in part the reasons for including Justices of the Peace is that the Government require a legally trained person to be the Chairman.

MR SPEAKER:

No, the reason is that they have followed the practice in the United Kingdom whereby the Chairman is a legally qualified practitioner and they are satisfied with that system. It is as simple as that, that is what you have been told.

HON A J HAYNES:

Will Government reconsider their decision as regards the use of Justices of the Peace especially where a Tribunal or a Bench of Justices could be made up which includes legal practitioners?

HON MAJOR F J DELLIPIANI:

My favourite word, Mr Speaker, no.

HON A J HAYNES:

Will the Government tell us when they expect the Tribunal to be functioning properly or to their satisfaction?

HON MAJOR F J DELLIPIANI:

No date, Mr Speaker.

HON A J HAYNES:

Will the Minister confirm that the present waiting time for an application to the Tribunal is in excess of two years?

HON CHIEF MINISTER:

Mr Speaker, I am surprised that the Hon Member wishes to introduce the question of Justices of the Peace. I think it is a very salutary thing for members of the Bar with a certain amount of years practice, eight or ten years practice, to take on as they have done, to take on this assignment to Chair Tribunals and it is spread out in the Bar reasonably evenly, those who want to do it, (a) because first of all they get paid, not very well but they get paid, and (b) because it gives members of the legal profession an element of judicial initiation and practice which I think is very helpful, generally, for the administration of justice.

HON A J HAYNES:

Mr Speaker, we already know that it is not functioning, there is a two year waiting list for anybody who has a claim of being unfairly dismissed.

MR SPEAKER:

I think in fairness to the administration it has been made very clear that if it is not working it has been through no lack of finding a Chairman.

HON A J HAYNES:

Mr Speaker, I have already pointed out to the Minister that one of the Chairman's ruling

MR SPEAKER:

We are arguing now. If you wish to ask a question you are free to do so.

HON A J HAYNES:

Mr Speaker, I am reminded by my Hon Colleague, I have not received an answer yet to the question I asked last which was what is the average waiting time for an application to the Industrial Tribunal, is it two years?

HON MAJOR F J DELLIPIANI:

I have no idea, Mr Speaker.

HON A J HAYNES:

For a Minister who is not satisfied with the way that something is functioning he seems to be remarkably ill-informed, how did he take the view that it was not functioning well, Mr Speaker?

MR SPEAKER:

Next question.

NO. 274 OF 1983

ORAL

THE HON W T SCOTT

Sir, will Government make a statement informing this House of the investigations it has carried out on the possibility of introducing a Youth Opportunities or a Youth Training Programme?

ANSWERTHE HON THE MINISTER FOR HOUSING, LABOUR AND SOCIAL SECURITY

Mr Speaker, the possibility of introducing a Youth Opportunities or Youth Training Programme is tied to the setting up of the College of Further Education and a statement on the matter will be made once the arrangements to set up the College are finalised.

SUPPLEMENTARY TO QUESTION NO. 274 OF 1983

HON W T SCOTT:

Mr Speaker, does the Government not think it advisable that that pilot scheme at the Construction Industry Training Centre, the training scheme which unfortunately has not met with the success originally envisaged, should not be further extended to cover areas normally covered by Youth Opportunities or Youth Training Programmes before the College of Further Education starts working because it seems to me, Mr Speaker, that we now have the highest ever figure of youth unemployment, I think the last figure is 116, at a time when the school has not broken up for the summer?

HON MAJOR F J DELLIPIANI:

Mr Speaker, as a matter of fact as at 11 am this morning the applications received for the Youth Training Scheme is 35 and the closing date is the 15th July so I think this year the scheme is getting off the ground quite well. I still look at this type of scheme as a proving ground for types of youth careers training. I would like to see this working properly before I can venture out into others.

HON W T SCOTT:

Mr Speaker, I am saying again, is it not advisable for Government and it already has waited two years and one is glad to hear that the reaction this year is now substantially greater than last year but is it not time, after having waited two years, that we should have some initiative in some other direction of youth employment for the benefit of our youth in Gibraltar?

HON MAJOR F J DELLIPIANI:

I think, Mr Speaker, that if I have this kind of encouraging reply I can move into other directions, I am not prepared to move into other directions until I know that the attitude of the young people is changing and they are prepared to deal with other aspects of training which they have not looked at before.

HON W T SCOTT:

I would agree with that, Mr Speaker, in part, but how can we have a change of attitude if the opportunities are not there? We can certainly blame them for not taking up the opportunities but unless the opportunity is offered to them we can hardly blame them for having that attitude and will the Minister comment on that?

MR SPEAKER:

No, not comment, it is a question of information.

HON MAJOR F J DELLIPIANI:

Mr Speaker, all I have to say is that the whole question is tied up with Further Education. We are going ahead with Further Education and when this comes up I will in fact ask the Hon Member, if we are still both here, to come to my office and we can discuss programmes because I know he has shown a great interest in this and I am very willing to cooperate with him at all times.

HON W T SCOTT:

One point, Mr Speaker, and that is that I disagree with the Hon Member when he talks about Further Education. We are talking about youth unemployment.

MR SPEAKER:

Next question.

THE HON W T SCOTT

Mr Speaker, Sir, why has Government not brought the appropriate amendment to the Control of Employment Ordinance to this meeting of the House?

ANSWERTHE HON THE MINISTER FOR HOUSING, LABOUR AND SOCIAL SECURITY

Sir, the Hon Member has evidently not read the Agenda for this meeting before putting his question. A Bill to amend the Control of Employment Ordinance will be submitted to the House at a later stage in the proceedings.

SUPPLEMENTARY TO QUESTION NO. 275 OF 1983

HON W T SCOTT:

Mr Speaker, it was precisely because after having received the Agenda three or four days before notice of questions had to be given and I waited three or four days and by the time the notice for questions came up, Mr Speaker, the Bill had not been published, in fact, we only got it yesterday and I am asking the Government and I did this knowingly and very purposely, Mr Speaker, whether again they are going to seek the suspension of Standing Orders?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I am glad he did it on purpose, he obviously reads his Agenda. We are bringing a Bill and we do not intend to rush it through without due consideration by the House.

HON W T SCOTT:

I do not know, Mr Speaker, because we have the whole Bill in its entirety in this meeting, First and Second Readings and Third Stage, the whole Bill.

HON MAJOR F J DELLIPIANI:

We intend to suspend Standing Orders.

HON W T SCOTT:

With one day's notice.

HON ATTORNEY-GENERAL:

If I may just clarify. It is not intended to take this Bill through all stages and I will explain why it was not published earlier when it comes up.

MR SPEAKER:

Next question.

NO. 276 OF 1983

ORAL

THE HON G T RESTANO

Have consultations now taken place with the Chamber of Commerce and the TGWU on the question of the Shop Hours Ordinance?

ANSWERTHE HON THE MINISTER FOR HOUSING, LABOUR AND SOCIAL SECURITY

Mr Speaker, a meeting of the reconstituted Labour Advisory Board was called for Monday 27 June specifically to discuss the question of the Shop Hours Ordinance.

The meeting had to be cancelled at the last moment because of the inability of certain members to attend, and a further meeting has been called to discuss the matter on 13 July, 1983. I must add, Mr Speaker, that this meeting has also now been postponed because of different representations to the Committee made by the Union side.

THE HON A J HAYNES

Sir, will Government state the costs involved in the Trade Promotions of the Tourist Department incurred this year?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Sir, the Gibraltar Tourist Office has conducted three Trade Promotions this year, two in UK and one in Morocco. The cost incurred in these promotions was £8,599.48.

SUPPLEMENTARY TO QUESTION NO. 277 OF 1983

HON A J HAYNES:

Can we have a breakdown of that, Mr Speaker?

HON H J ZAMMITT:

Mr Speaker, the breakdown is quite lengthy but I am prepared to give it. January 31st - February 3rd - visiting Swindon, Stockport, Huddersfield and Wakefield. Swindon - accommodation £189.85, buffet £475.97, a total cost of £665.82. Stockport - accommodation £160.01, buffet £698.21, total £858.22. Huddersfield - accommodation £150.62, buffet £497.77, total cost £649.39. Wakefield - accommodation £301.53, buffet £390.54, total £692.07. The Minister's passage and allowance £523. February 28th to March 3rd - visiting Newcastle, Middlesborough

MR SPEAKER:

Is this going on for long?

HON H J ZAMMITT:

There is not very much more, Mr Speaker. Visiting Newcastle, Middlesborough, York and Nottingham. Newcastle - accommodation £229.48, buffet £773.94, total £1,003.45. Middlesborough - accommodation £173.22, buffet £840.01, total £1,013.31. York - accommodation £160.40, buffet £350, total £511.39. Nottingham - accommodation £174.55, buffet £992, total £1,166.55. Minister's passage and subsistence allowance £523 and the audio visual equipment was £684.54. Regarding Morocco, Mr Speaker, between January 18th and 21st, visiting Fez, Kenitra, Rabat and Casablanca total cost was £309.77. Subsistence allowance was £258.61 for the Director, passage £23, incidental expenses £28.16. total £309.77.

HON A J HAYNES:

Mr Speaker, can the Minister say how many people were involved in these promotion trips from the department?

HON H J ZAMMITT:

I can from memory; Mr Speaker, say that invariably about 100 to 130 people turn up to our trade promotions in the UK, that is travel agents, tour operators.

MR SPEAKER:

I do not think that is the question you are being asked. The question you are being asked is how many people are involved in these promotion trips from the department.

HON H J ZAMMITT:

Sir, the only person who travels from Gibraltar is myself. I do not go to Morocco, the Director does Morocco. The team consists, of course, of the London Office Manager and a young Clerical Officer, our projectionist from Lonsdale, our public relations person Mr David Berrill from the advertising agents and then we are joined up by a representative of Cadogan, Exchange Travel, Both Worlds, Yorkshire Travel.

MR SPEAKER:

Again I am going to have to interrupt you. You are being asked how many people are involved insofar as the expenses and costs are concerned.

HON H J ZAMMITT:

We only pay for our advertising agents, our public relations, the Office Manager, the Clerical Officer and the projectionist. My allowance, of course, covers my own hotel accommodation.

HON A J HAYNES:

These costs are for about four or five people, is that correct?

HON H J ZAMMITT:

Or five or six.

HON A J HAYNES:

The Minister said, Mr Speaker, that on average he would be received by 130 travel agents, is that correct? At every function, at every speech you give or whatever there is about 130 representatives of the tourist trade, is that correct?

HON H J ZAMMITT:

Yes, on average, of course it depends on what area one is visiting but if one is doing Newcastle or Nottingham then one would expect in that region, our turnouts are very, very good indeed.

HON MAJOR R J PELIZA:

Mr Speaker, in the light of what he experienced in these presentations, could the Minister say whether he is now optimistic, pessimistic or in despair about the chances of Gibraltar progressing as a tourist resort?

HON H J ZAMMITT:

I think, Mr Speaker, there is a question coming up from the Hon Member later on on this. Certainly in the immediate future I think we can do no better than what we are doing, quite honestly, with the present recession that tourism in general is suffering.

HON MAJOR R J PELIZA:

What I am asking for is his reaction. What sort of reaction did he find from the people, most of them I suppose are people who keep coming back again to these presentations and what sort of hope did he get from what he heard from those representatives?

HON H J ZAMMITT:

Mr Speaker, the reaction one gets is the reaction one has always been getting (a) the cost factor of Gibraltar makes things difficult, the departure of our aircraft from England does not help us

MR SPEAKER:

No, we are not going to go into that aspect of it. You are being asked what reaction you get from your promotions.

HON H J ZAMMITT:

That is the reaction we get from our tour operators and travel agents that they do send people through but they could send more through if our price structure was more in competitive lines with other destinations, if our planes had a different departure time, the strength of the pound. That there is an interest in Gibraltar, of that there is no doubt.

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

Can the Minister for Tourism and Postal Services state how many tourist operators in the United Kingdom have been visited by his department in the last six months?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Sir, the number of tourist operators in the United Kingdom visited by the Tourist Office during the last six months was 283, covering 65 towns.

SUPPLEMENTARY TO QUESTION NO. 278 OF 1983

HON MAJOR R J PELIZA:

I just wonder whether the Minister has got the question right. I was not referring to travel agencies but actual tour operators.

HON H J ZAMMITT:

These are travel agents and tour operators which we have visited. I should say, Mr Speaker, that for the last year, although the question does not ask it, we have taken on a Mr Berrill from Lonsdale to work for Gibraltar to visit tour operators and travel agents and the figure, of course, since he started off is 405 tourist outlets.

HON MAJOR R J PELIZA:

I think perhaps he has not got my question right. What I mean by tour operators is people who organise tourism as such like Thomson Tours and firms like that. How many of these, 400? Or are they agencies which is a different thing altogether?

HON H J ZAMMITT:

Well, Mr Speaker, tourist operators are not tour operators. Tourist operators are Exchange Travel, all those people, and the answer is that we have visited 283 over the last six months. Well, not all tour operators, tour operators and travel agents.

HON MAJOR R J PELIZA:

Could he say how many tour operators as distinct from travel agents?

HON H J ZAMMITT:

No, I could not say that is the figure, Mr Speaker, because I took it as how many outlets or tourist operators.

HON MAJOR R J PELIZA:

Can the Minister find out and let me know?

HON H J ZAMMITT:

Certainly.

MR SPEAKER:

Next question.

(3)

NO. 279 OF 1983

ORAL

THE HON MAJOR R J PELIZA

Can the Minister for Tourism and Postal Services state what the hotel occupancy is likely to be this summer?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Sir, it is rather risky to attempt forecasts in what is a volatile industry. However, the hotel occupancy expectation for this summer is not encouraging unless there is an improved response in late bookings from the traditional UK market. It is calculated that this summer hotel occupancy would be approximately 50%.

SUPPLEMENTARY TO QUESTION NO. 279 OF 1983

HON MAJOR R J PELIZA:

And that compares with last year, higher or lower than last year?

HON H J ZAMMITT:

It is slightly lower than last year, Mr Speaker.

MR SPEAKER:

Next question.

NO. 280 OF 1983

ORAL

THE HON A T LODDO

Mr Speaker, has Government any plans for the opening of the Nun's Well as a tourist site?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Mr Speaker, Government agrees that this historical site could well be very attractive to tourists, perhaps as part of a "Southern Tour", which would also include the 100-ton gun, the Lighthouse and the Shrine of Our Lady of Europe.

However, the cost involved in making the Nun's Well into a tourist site would need to be considered.

SUPPLEMENTARY TO QUESTION NO. 280 OF 1983

HON A T LODDO:

Mr Speaker, will the Government consider this but as a matter of urgency considering or taking into account that our tourist industry is in such a bad way?

MR SPEAKER:

Could we perhaps be enlightened, where is the Nun's Well?

HON H J ZAMMITT:

Nun's Well, Sir, is an area near Europa Lighthouse. It is very attractive, it is a chamber below ground level which was an old well and it has mosaics going back to the year dot, a very attractive area but again it is certainly being considered together with other historical sites.

HON A T LODDO:

Mr Speaker, my last question was will the Government, considering the crisis which the tourist industry is going through and considering the potential there is for the development of this whole area taking into account the old whipping post which is a national monument, will the Government look into the development of the Nun's Well as a matter of urgency?

HON H J ZAMMITT:

Sir, we are looking into a number of areas of Gibraltar's heritage as a matter of urgency but I cannot say that the urgency will be three months, six months or a year.

HON MAJOR R J PELIZA:

Can the Minister say when they are going to stop looking and doing something?

MR SPEAKER:

Order, next question.

6.7.83

NO. 281 OF 1983

ORAL

THE HON P J ISOLA

Sir, will Government make a statement on the agreement it is reported to have entered into with the Gibraltar Taxi Association detailing in that statement matters that require legislative authority?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Answered together with Question No. 282 of 1983.

THE HON P J ISOLA

Sir, in view of the fact that the issue of licences for taxis is within the absolute discretion of the Transport Commission under the Traffic Ordinance, can Government state under what authority the Minister for Public Works could make an agreement with taxi drivers not to increase the number of licences and is this agreement not clearly outside the law?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Mr Speaker, it should be noted that over the years the Transport Commission has sought Government's advice and guidance as to the number of licences which should be available for taxi drivers. It recently became necessary to review the overall position and to establish ceilings which would meet the requirements of both the Government and the trade and, subsequently, to arrive at a reasonable and realistic policy. In pursuance of this policy the Government then decided to enter into a formal agreement with the Gibraltar Taxi Association which, inter alia, included a limitation on the number of taxi driver licences which should be on issue at any given time.

The relevant legislation is being amended, precisely in the course of these proceedings, in order to provide specifically that it is a proper function of Government to establish the number of licences which may be issued. It will, however, still be a statutory function of the Transport Commission to process applications for the granting of such licences, within the policy and ceiling laid down by the Government. Regarding the agreement between the Government and the Taxi Association, I am circulating a copy of the agreement for information. Since there is agreement between the two parties, there is no need at the present moment for any legislation to put the terms into effect other than what I have previously stated.

SUPPLEMENTARY TO QUESTION NOS. 281 AND 282 OF 1983

HON P J ISOLA:

Can the Minister confirm that the reason for the rushed piece of legislation that has been brought to the House with notice of a supplementary Agenda and therefore not thought of last Friday when the House was circulated with the Agenda, that the real reason for bringing this rushed piece of legislation, and I use the word advisedly, Mr Speaker, is that the Transport Commission has threatened to take the Government to Court for a declaration that the agreement is outside the law and therefore illegal? Is that the reason why the legislation has been brought?

HON M K FEATHERSTONE:

No, Sir.

HON P J ISOLA:

If that is the case, Mr Speaker, can I ask the Minister why the draft legislation does not include other matters that require legislative authority and which the Minister does not seem to have realised or those advising him?

HON M K FEATHERSTONE:

The Hon Member one or two meetings ago pressed me that we should have a look at the situation of the Transport Commission and that we should make amendments. This went through Council of Ministers, it was agreed that amendments should be made in certain areas, briefing instructions were given to the Attorney-General, the Bill has now come before the House or will be coming before the House.

HON P J ISOLA:

Mr Speaker, can the Minister confirm to me that he has received a letter from the Transport Commission threatening legal action because of this particular provision of the Government purporting by an agreement to limit the number of licences?

HON M K FEATHERSTONE:

The Minister has not received any letter from the Transport Commission.

HON P J ISOLA:

But has the Administrative Secretary of the Government of Gibraltar received such a letter?

HON M K FEATHERSTONE:

Not to my knowledge, it has not been brought to me.

HON P J ISOLA:

Mr Speaker, I have seen a copy of the letter and the letter gave the Administrative Secretary or the Government until Wednesday, today, I think it was. Has the Administrative Secretary brought the contents of this letter, may I ask, to any Minister of the Government or the Hon and Learned Attorney-General?

HON ATTORNEY-GENERAL:

Well, I am slightly taken off balance by the last part of the question, Mr Speaker. The point I wanted to make which is not directly answering that last part of the question, is that the Government can make an agreement with whomsoever it likes.

HON P J ISOLA:

I am asking if the letter written to the Administrative Secretary has been brought to the notice of any Minister of the Government? I cannot believe, Mr Speaker, a statement from that side of the House that a letter threatening legal action in respect of an agreement signed by a Minister of the Government has not been brought to the notice of any Minister of the Government, I cannot believe that.

HON CHIEF MINISTER:

If it is any help to the Leader of the Opposition, I can tell him that I know nothing about it.

HON P J ISOLA:

Well, this is an extraordinary way, Mr Speaker, of the Government carrying on its business. Can I ask the Attorney-General if the contents of that letter have been brought to his attention?

HON ATTORNEY-GENERAL:

Mr Speaker, I have not received a letter to that effect at all.

HON P J ISOLA:

The contents of the letter to the Administrative Secretary from the Chairman of the Transport Commission, has that been brought to the notice of the Attorney-General?

HON ATTORNEY-GENERAL:

I cannot recall such a letter, Sir.

HON P J ISOLA:

Mr Speaker, the letter was written to the Administrative Secretary. I have seen a copy.

HON ATTORNEY-GENERAL:

Mr Speaker, I am aware, myself, because of conversation, that the matter has been on the mind of the Transport Commission. I have seen no letter, I am not aware of any such letter and I may say I think it is an inappropriate course of action for the Transport Commission to take.

HON M K FEATHERSTONE:

I would tell you that I have heard of such a letter but not of any threat by this Wednesday of being taken to Court.

HON P J ISOLA:

Well, that is what the letter says, Mr Speaker. This explains a lot of what happens within the Gibraltar Government.

MR SPEAKER:

Order, will you ask a question.

HON CHIEF MINISTER:

Mr Speaker, many people who write letters to the Government are more interested in the Opposition receiving them before the Government receives them.

HON P J ISOLA:

Mr Speaker, I asked the question advisedly whether the legislation that is being brought to the House has been brought about because of that letter and I have been told no. Now I carry on. Can I ask the Hon and Learned Attorney-General whether he drafted this agreement between the Government of Gibraltar and the Gibraltar Taxi Drivers Association?

HON ATTORNEY-GENERAL:

Mr Speaker, I do not think it is appropriate for me to give details on what I advise the Government.

MR SPEAKER:

It is not for me to direct how you should answer your questions, it is for you to decide whether you can or cannot give an answer.

HON ATTORNEY-GENERAL:

Mr Speaker, I hope the Hon and Learned Leader of the Opposition will understand that I really do not feel that it is proper for me to go into the details of how I advise the Government.

HON P J ISOLA:

Mr Speaker, I am really flabbergasted by all this. The Hon Minister for Public Works gave us notice yesterday, that all the Standing Orders of the House are going to be suspended so that the Bill can be taken, a Bill drafted by the Hon and Learned Attorney-General and I will ask the Minister for Public Works did he show the Attorney-General a copy of the agreement that he signed with the Gibraltar Taxi Association to enable him to draft the appropriate legislation?

HON M K FEATHERSTONE:

No, Sir, the draft of the agreement with the Taxi Association went through Council of Ministers, various alterations were made and the draft was agreed by Council of Ministers and was subsequently signed. The Attorney-General had been briefed before because of a commitment I gave here to the Hon Leader of the Opposition that we would look at the question of the Transport Commission's powers, I think it must have been at least five or six weeks ago that Council of Ministers considered this matter and that it was agreed that the

Attorney-General be given instructions to draft the amendments to the Transport Commission's powers in the Traffic Ordinance and such has now been the actual Bill that is before the House.

HON P J ISOLA:

Mr Speaker, my original question to the Minister was, what parts of the agreement required legislative authority? The Minister has answered that any parts of the agreement that required legislative authority is enshrined in the Bill that is to be brought before the House and I want to ask him who decided whether legislative authority was required for any other part of the agreement, the Minister or the Hon and Learned Attorney-General?

HON M K FEATHERSTONE:

The agreement simply states that insofar as the Government is concerned it agrees to the maintenance of taxi licences at the present level. This is following established practice that the Transport Commission has always asked the Government what level they should work to. The idea now is to enshrine that in actual legislation so that the prerogative for determining the number of licences for all road service vehicles should rest with Government as it has hitherto been the practice, will now be enshrined in law.

HON P J ISOLA:

But, Mr Speaker, that is why I asked the question. Did he not agree with the Taxi Association to introduce a second assistant driver and does he not realise that that also requires legislative authority and can I refer the Minister to section 64(a) of the Traffic Ordinance which specifically states that there will only be one driver to one taxi and therefore will he not agree that the reason for this rushed legislation is in fact the threat of the Transport Commission based on that paragraph (f) of his agreement and that that legislation is being done but that it requires legislative authority for the other parts of the agreement too, and why is he not bringing that legislation and why is he running on an agreement that is illegal on the face of it?

HON M K FEATHERSTONE:

If you wish to put an amendment to put that in as well we can soon do so.

HON P J ISOLA:

Mr Speaker, is it not the responsibility of a Minister not to enter into agreements that are outside the law without at least seeking the advice of the Hon and Learned Attorney-General? Why aren't there amendments in that Bill before the House in relation to the display of licence numbers, identification discs, approved signs on the roof? All these matters, Mr Speaker, require legislative authority and I suggest to the Minister that the reason why that has not been brought before the House was in their rush to avoid the legal action from the Transport Commission for acting outside the law.

HON M K FEATHERSTONE:

There has been no acting outside the law whatsoever.

HON P J ISOLA:

Well, can the Minister state how he is going to introduce a second assistant driver in Gibraltar when the House adjourns for the summer recess tomorrow or whenever it is, how is he going to introduce that without amending the law and how is he going to enforce the other parts of the agreement without amending the law or is it his intention not to enforce them at all?

HON M K FEATHERSTONE:

I am sure you do not need to change the law to make most of the parts of the agreement necessary, they can be done by regulations such as having a disc in the tax and what have you, etc.

HON P J ISOLA:

Mr Speaker, but we have the legislation here to freeze the number of licences immediately and we have not got the legislation to enforce the other parts of the agreement that are equally necessary and which were, I suppose, the good points from the Government side, why not?

HON ATTORNEY-GENERAL:

Can I clarify the matter? The agreement was an agreement between the Government and the Taxi Association and of course that cannot change the statute law as it stands for the time being but of the matters in this agreement, Mr Speaker, with the exception of paragraph (c), there is no reason why they cannot be achieved by agreement and with the exception, of course, of the limitations of the maximum number of licences available as a policy matter, there is no reason why these matters cannot be achieved by agreement at all and I would just like to reiterate, Mr Speaker, that the Bill that is before the House which deals with the point of enabling the Government as a matter of policy to limit the number of public service licences, was not brought in reaction to a threat from anybody at all, it was brought because it is legally necessary and it is brought because of the desire to implement that part of this agreement.

HON P J ISOLA:

Is the Hon and Learned Attorney-General telling the House that it is not intended to implement the other parts of the agreement that requires legislative authority, the introduction of a second assistant driver? Is the Government going to rat on that agreement, why isn't there an amendment to that?

HON ATTORNEY-GENERAL:

I do not believe the Government will rat on anything. All the matters apart from that one other matter, do not require legislative amendment.

HON P J ISOLA:

I beg your pardon?

HON ATTORNEY-GENERAL:

All the matters, Mr Speaker, apart from paragraph (c) which you will have a look at, do not require legislative amendment necessarily.

HON P J ISOLA:

Well, I think the Hon and Learned Attorney-General will see that under paragraph (c) he requires it - I have given him the section in the Ordinance - it is very clear to me and I am sure it will be very clear to him but how does the Hon and Learned Attorney-General propose that the Government enforces an agreement to display licence numbers, identification discs, approved signs on the roof, if it is not by regulation? Aren't all matters relating to traffic in Gibraltar governed by regulation or is the Taxi Association in fact going to be kept outside that ambit, is that another new digression?

HON ATTORNEY-GENERAL:

Mr Speaker, I am not saying that one could not have legislation for it, I am saying this is an agreement between an Association and the Government and as the parties are ad idem there is no reason why it necessarily needs legislation. I may say that I do not agree with unnecessary legislation.

HON P J ISOLA:

Mr Speaker, can the Hon and Learned Attorney-General tell the House why this particular amendment has come in and no other, why the rush?

HON ATTORNEY-GENERAL:

The reason this particular amendment has come in, Mr Speaker, is because I was asked to prepare it. It clearly does need legislative authority.

MR SPEAKER:

I do not believe that this matter can be taken any further at question time.

HON P J ISOLA:

I think this is very important.

MR SPEAKER:

I have no doubt that it is and if you have a question on which you seek information I will be delighted to hear it but we are not going to do what we have been doing for the last twenty minutes which is debating the question.

HON P J ISOLA:

I am going to ask the Hon and Learned Attorney-General this question, whether in preparing this legislation and advising the Government to implement it and to pass it without Standing Orders and so forth, did he take into account the right of persons who have presently applications pending before the Transport Commission for a taxi licence and who have been pressing for the application to be heard, has he made any enquiries as to how their rights might be affected by a rush into legislation without notice to the House, with twenty-four hours notice of the legislation and going through all stages in this House? Is that democracy, Mr Speaker, does the Attorney-General subscribe to that?

MR SPEAKER:

Order, we will not make speeches at question time. Do you wish to answer the question?

HON ATTORNEY-GENERAL:

Mr Speaker, I took account of the present position so far as the law is concerned and what people may do to apply for a licence, I also took account of Government policy and I drafted accordingly. I am not aware of people pressing for an application to be heard. I know there are applications outstanding, I have been told there are applications outstanding but I am not aware that there has been great pressure to have them heard.

MR SPEAKER:

You are being asked whether you have taken into consideration the circumstances of possible applicants? You say you do not know, but if there are possible applicants which will be affected by the change of legislation, you are being asked have you taken these applications into consideration when you drafted the Bill? That is what you are being asked.

HON ATTORNEY-GENERAL:

Thank you, Mr Speaker. I have taken two things into consideration (a) the position of those applicants and (b) Government policy on this matter.

HON P J ISOLA:

And is the Hon and Learned Attorney-General aware of the provision in the Traffic Ordinance which vests squarely on the Transport Commission determination of these matters and is he aware that by passing this amendment he might as well do away with nearly all the paragraphs of section 63 of the Traffic Ordinance which vests this particular discretion on the Transport Commission and would it not have been more honest on the part of the Government or of the Attorney-General to advise the Government to do away with section 63 altogether in view of the proposed amendment which is implementing an agreement that freezes licences and therefore

gives the Transport Commission no more discretion as to whether they can listen or carry on hearing applications actually before them. Is this not scandalous, Mr Speaker?

HON ATTORNEY-GENERAL:

I am aware of the very first part of the question, Mr Speaker, and I do not agree with the rest.

HON M K FEATHERSTONE:

There is no question of being scandalous. It has been the attitude of the Transport Commission over many years during which time they have had considerable numbers of pending applications, not to grant those applications but to come to Government and say: "What is the ceiling of the licences?", and to follow the position that Government has informed them.

HON P J ISOLA:

One last question, Mr Speaker, on this. Is it a fact that the Government entered into this agreement by duress under threat of a strike?

HON M K FEATHERSTONE:

That is absolute rubbish.

HON A J CANEPA:

Mr Speaker, in the absence of the Minister away in London I made arrangements myself on the previous Wednesday to take the matter to Council of Ministers and the draft agreement was approved the Wednesday of the week before this unnecessary threat of industrial action was taken, over a week before.

NO. 283 OF 1983

ORAL

THE HON P J ISOLA

Sir, in view of the fact that the Government prohibited the use of radio cars in Gibraltar only a few years ago, can Government state what new facts have occurred that justify a change in this policy?

ANSWERTHE HON THE MINISTER FOR TOURISM AND SPORT

Mr Speaker, I take it that the Hon Questioner is referring to radio taxis. If this is so I should inform him that the Government policy in consonance with the advice tendered by Mr G W Barns in his report on the Taxi Service in Gibraltar of 10 May, 1976, was that the number of taxis in existence, in the special circumstances prevailing in Gibraltar at that time, could give a reasonably efficient service without the introduction of two-way radios.

The situation which existed when the report was submitted did not alter materially until the partial opening of the frontier in mid December, 1982. In the light of the changed circumstances and in order to assist in providing a better service the Government decided to change the policy and allow radio taxis.

SUPPLEMENTARY TO QUESTION NO. 283 OF 1983

HON P J ISOLA:

Mr Speaker, is it not a fact that at the time of the report mentioned by the Hon Minister in May, 1976, it was precisely because radio cars were providing a more efficient service that the Government had a confrontation with the Gibraltar Taxi Association who did not want them to be used, and why does it become more efficient now when asked for by the Gibraltar Taxi Association and not when asked for by a small group, a small taxi firm, which as a result of the Government action went out of business?

HON H J ZAMMITT:

I think there are four questions contained within that, Mr Speaker. One is that it was not a question of the likes or dislikes of the Taxi Association at the time, it was the recommendation of the then adviser to the Government on the taxi service, Mr Barns, who suggested that we should not allow that and the Hon Member may recall that in fact the small firm that he refers to was in fact provided of a licence in anticipation of Mr Barns' report and it was subsequent to that that the licence was withdrawn. I do not know that the small firm concerned went out of business, I understand and I think I am absolutely right in saying that they continue to be in business without, of course, radios.

HON P J ISOLA:

Is the Minister saying that in fact it is the view of the Government that taxis should now be provided with radios in order to make them more efficient in what way, is that to ensure that taxi stands that are entirely unmanned as, for example, at the air terminal and at other places, will now be manned by radio and there will be no taxis there, is that the idea?

HON H J ZAMMITT:

Mr Speaker, it is not just the air terminal. It was obvious that because the frontier was opening or did open on the 15 December that a number of vehicles, be it three, four or five taxis, would make it their desire to be at the frontier to pick up possible tourists on Rock tours and therefore the number of taxis in other taxi stands around Gibraltar were being diminished. It was therefore thought that because of the distance involved in taxis circulating around Gibraltar that the radio situation would be an improvement to the taxi service in general.

HON P J ISOLA:

Does not that indicate, Mr Speaker, that as a result of the opening of the frontier partially and making very increased demands on the taxi service, the Government decision to freeze taxi licences makes it necessary for them to have to have two chaps for one taxi, have radio licences, radio cars and deprive people who are full-time taxi drivers and out of work from applying for a licence?

HON H J ZAMMITT:

I think that has nothing to do with the question that I have been asked, Mr Speaker.

HON P J ISOLA:

It has very much to do with the question, Mr Speaker, because I am asking why this has been introduced. Has the Minister not answered, in effect, Mr Speaker, that because there are not enough taxis to stand everywhere, they are going to be allowed to have radios and how does that, Mr Speaker, compare with another part of the agreement which states, paragraph (b), the only one I have not mentioned, which states that at least six taxis would be available at the airport? I think that is the province of the Minister for Tourism.

HON M K FEATHERSTONE:

Well, it is not, Sir. The position of radio taxis is that the request from taxis to have radios was brought up at the time of the Lisbon Agreement and it was considered and it was agreed to and they came into effect when the partial opening of the frontier happened, with the purpose of making taxis more flexible and more in consonance with the taxi service which appertains in the United Kingdom where taxis can be called up by radio to go to any area where there is an increased demand. Should there be an increased demand at the frontier or at the airport then through the radio system taxis can be called up to go to that area and a demand in any specific area can be serviced not by having more taxis which is not necessary because it simply means that taxis which would be standing idle in one place go to a place where they can be of use.

HON P J ISOLA:

Mr Speaker, how does the Minister justify that remark or that statement that there are enough taxis already with the actual facts? Does it not fly in the face of the facts? How many complaints has

the Minister for Tourism had of people sitting at the air terminal, tourists, new arrivals to Gibraltar, with not a single taxi in sight and Gibraltarians have had to give a lift, how does he reconcile the statement he has just made with the complaints that have been received by the Minister for Tourism?

HON M K FEATHERSTONE:

That has just been covered by the agreement we have made with the taxis that there will be six taxis available and the radio can call up others if required. There are many instances in which a plane arrives at the airport and the majority of people are taken away either in private cars or in special buses by the travel operators and the taxis are left without any fares whatsoever so what the Hon Member is saying is not justified.

HON P J ISOLA:

Mr Speaker, does the Minister not agree that he is talking nonsense. Is it not a fact that in fact there have been previous agreements under which the taxi drivers have agreed to provide taxis at the air terminal and other points in Gibraltar and have these been kept and what reason has the Minister got for saying that it will now be kept unless there is statutory backing to it?

HON M K FEATHERSTONE:

Well, if you are aware of these previous agreements perhaps you will let me know of them because I am not aware of them.

HON P J ISOLA:

Perhaps the Minister for Tourism can enlighten us as to whether there have been agreements in the past with the Taxi Association and indeed arising from the abolition of the radio taxis under which they agreed to man all taxi stands?

HON H J ZAMMITT:

Mr Speaker, I am not aware of any agreements but equally I have received, and I am being absolutely truthful in this, Mr Speaker, I have received no complaints from any tourists, not at my Tourist Office as far as I know, received any complaints of tourists being stranded and left at the airport through lack of taxis.

HON P J ISOLA:

Mr Speaker, then I suggest to the Minister that he picks other people to serve the Tourist Department in the airport because personally I have seen this on a great number of occasions and I am sure all Members of this House have seen tourists waiting for taxis, having to telephone in the airport for taxis and being left without taxis and local Gibraltarians having to give them lifts in their own cars and if the Minister is not aware of that, Mr Speaker, the Minister is not aware of what goes on in the airport terminal and he should make way for somebody who does become aware of these things.

HON H J ZAMMITT:

Mr Speaker, the question of people being stranded at the airport is not what the Hon Member has said. He said that I had received complaints. I am just informing this House and him that I have not received any complaints. That people are there, I think he has seen them and I have seen them but I have not had any complaints from any tourist or from any operator or from anybody at all.

HON MAJOR R J PELIZA:

Would the Minister believe me if I said that at least on two occasions I myself have been unable to get a taxi to come to town?

HON H J ZAMMITT:

Of course I would believe the Hon Member, Mr Speaker, what I am saying is that he has not complained to me.

HON P J ISOLA:

And in what way, Mr Speaker, is the existence of radio cars going to help the person who is at the airport terminal waiting for a taxi?

HON H J ZAMMITT:

In a very simple manner, Mr Speaker, which is obvious. The whole fluidity of the taxi service is obviously going to improve.

HON P J ISOLA:

How?

HON H J ZAMMITT:

Because if you want a taxi and you ring up a central organisation that knows exactly where taxi one, two, three or four is in close proximity of, he would just divert the taxi and say: "Instead of coming in from having dropped somebody off, for instance, at RAF North Front, go to the air terminal and pick somebody else up", or Europa Lighthouse. They would know exactly where the whole fleet of cars are, they are reporting in and therefore they know exactly who to pick on to serve a particular area, it is obvious.

HON W T SCOTT:

Mr Speaker, that would depend entirely on whether the intending taxi hirer has the use of a telephone.

HON P J ISOLA:

And knows about it.

MR SPEAKER:

You are debating now, with respect.

HON W T SCOTT:

Am I right in assuming that?

HON H J ZAMMITT:

Mr Speaker, what I am saying is it is bound to have great fluidity and a better service because of the obvious advance in technology that you know exactly where your fleet is and it will be less time consuming and a better service.

HON W T SCOTT:

But the Minister has said, has he not

MR SPEAKER:

No, you are debating. Will you please ask a question. We are getting out of hand and I am not allowing that.

HON W T SCOTT:

Mr Speaker, I understood the Minister to say that an intending passenger from the airport can phone up there to a central place and that central place then uses the facilities of radio to get in touch with a taxi and that pre-supposes that the intending hirer must be near a telephone.

HON H J ZAMMITT:

There is a telephone in the air terminal, Mr Speaker.

HON W T SCOTT:

Mr Speaker, but if we are talking about the Lisbon Agreement and the partial opening of the frontier

MR SPEAKER:

No, no, order.

HON W T SCOTT:

Mr Speaker, this is an important one.

MR SPEAKER:

If it is important you can debate it if you want to. This is a matter of asking questions at question time and we are debating the subject and I am not going to allow that. Any further questions?

HON P J ISOLA:

Would the Minister put a notice in the air terminal telling tourists that by ringing a particular number, for which the Tourist Office will pay, a taxi will arrive at short notice because it is all very well for the Minister to talk about what Major Peliza should or my friend here but a tourist who arrives in Gibraltar does not know any of this, how is he to know how he can get a taxi?

HON M K FEATHERSTONE:

If he goes to the Tourist Office there and he says: "Where can I get a taxi?" they will tell him straightaway. What I am astonished at is that here is an Opposition which is always wishing that the system in Gibraltar should be similar to the UK, here is a move towards getting closer to the UK and they seem to be decrying it at every opportunity.

HON MAJOR R J PELIZA:

The Minister has said, Mr Speaker, that my complaints have never reached him. Isn't it the duty of the Tourist Office to find out things that are going wrong and they put it right before there are complaints?

HON H J ZAMMITT:

I think it is the duty of the Hon and Gallant Major Peliza, as Shadow Minister for Tourism, to bring this to my attention.

HON MAJOR R J PELIZA:

The Minister knows that I do bring lots of things to his attention.

MR SPEAKER:

No, order. We are debating.

HON H J ZAMMITT:

Mr Speaker, I will say it again, I have received two letters from the Hon and Gallant Major Peliza.

MR SPEAKER:

Order, I will not be interrupted when I am calling the House to order and you will sit down when I say so. That is the end of the matter. Next question.

NO. 284 OF 1983

ORAL

THE HON A T LODDO

Mr Speaker, when does Government propose to amend the law so that holders of 'B' licences are entitled to drive mopeds?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government is studying all the ramifications of such an amendment. It is hoped that an early decision can be made.

SUPPLEMENTARY TO QUESTION NO. 284 OF 1983

HON A T LODDO:

Mr Speaker, am I right in assuming that the Government agreed to look into this urgently when the Opposition in its turn agreed not to impede the passage of legislation in December of last year because it was in the interest of Gibraltar to have legislation in consonance with EEC legislation passed at the time and did not the Government agree then, in December, 1982, to expedite this minor point in exchange for our agreement to agree to the legislation going through?

HON M K FEATHERSTONE:

There was an agreement by Government that they would look into this question at the time and Government has been doing it but there are a number of interested parties some of which have conflicting views. We are trying to reconcile all these different views before the actual amendment takes place.

HON A T LODDO:

Mr Speaker, could I ask who are these interested parties and what are the conflicting views because, the way I understand it, all I simply asked for at the time was that holders of B licences in Gibraltar be allowed to drive a moped as is the case in the UK. Perhaps I could have an answer?

HON M K FEATHERSTONE:

One of the interested parties are the Police, one of the conflicting views is should they wear crash helmets.

HON A T LODDO:

Mr Speaker, as I said, I wanted the legislation to be as in the UK. I did not bring up the question of helmets but merely could they be allowed to drive mopeds as is the case in the UK where they have to wear helmets. If we are going to go into that contentious area, Mr Speaker, then we could think in terms of European law when even at

the age of fourteen they are allowed to drive but, Mr Speaker, all I am asking for is the law to be amended to that which exists in the UK, namely, that a holder of a B licence be allowed to drive a moped without the necessity to take a competence test on a motor cycle?

HON M K FEATHERSTONE:

As I have said, it is hoped that an early decision can be made possibly by the next meeting of the House.

MR SPEAKER:

Next question.

NO. 285 OF 1983

ORAL

THE HON W T SCOTT

Mr Speaker, will Government take the measures necessary to ban ball-playing and cycling in the Piazza and ensure that these measures are enforced?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government intends to place signs at the Piazza informing the public that ball-playing, cycling and roller-skating are not allowed.

However, at present the Police Department can only enforce this ban on receipt of a complaint or if there are blatant acts of hooliganism.

There would be need to look at the question of amending the law to make these activities an offence in the area of the Piazza.

SUPPLEMENTARY TO QUESTION NO. 285 OF 1983

HON W T SCOTT:

Sir, does Government in fact intend to enforce the law once it brings it out?

HON M K FEATHERSTONE:

Government always tries to enforce laws when they bring them out.

HON P J ISOLA:

Mr Speaker, can the Minister explain why it is necessary for somebody to make a complaint about ball-playing if a Policeman is actually in the Piazza and sees an offence being committed? Is the Minister seriously saying that a member of the public has to complain to a Policeman who is in the area before he will do anything? What are they paid for?

HON M K FEATHERSTONE:

I would think that that question should be directed to the Commissioner of Police.

HON P J ISOLA:

Well, I am sorry the Hon and Learned Attorney-General is not here to answer that question because it is quite clear that this is a law and order question.

MR SPEAKER:

Next question.

6.7.83

NO. 286 OF 1983

ORAL

THE HON A T LODDO

Mr Speaker, is Government aware that two of the five bus stops along Devil's Tower Road, and the terminal stop at Both Worlds have no sign to indicate them as such, and will Government correct this before the bathing season comes to an end?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Sir, these signs together with the bus time-tables have been frequently vandalised and new signs will have to be made as the stock of original signs has been exhausted.

6.7.83

NO. 287 OF 1983

ORAL

THE HON P J ISOLA

Sir, will Government make a statement as to its proposed measures for the implementation of pay-parking at the frontier and can Government explain why there have been no consultations with the Opposition apart from a preliminary meeting some time ago?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Mr Speaker, I shall be making a statement on this matter later on in the proceedings of the House.

THE HON A T LODDO

Mr Speaker, when does Government intend to install the pelican crossing in Queensway?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, funds were requested in the 1983/84 Draft Estimates but owing to financial constraints, it was not possible to provide funds for this project this year.

SUPPLEMENTARY TO QUESTION NO. 288 OF 1983

HON A T LODDO:

Mr Speaker, does this mean that in fact it is cheaper to have a full-time constable four times a day manning the crossing than buying the pelican crossing itself?

HON M K FEATHERSTONE:

I have not gone into the mathematics of that, Sir.

HON A T LODDO:

Mr Speaker, will the Minister please find out the cost of a pelican crossing and will he also find out the cost of having a full-time policeman doing duty four times a day at the crossing and let me have these figures, please?

HON M K FEATHERSTONE:

I will look into it but of course that policeman is on a certain time of duty and therefore if he is at one place or another you cannot specifically say that the cost is absolutely applied to that. Had it been a policeman specifically recruited for that job then the costing might have been more possible.

HON A T LODDO:

Mr Speaker, but am I not right in assuming that policemen are paid by the hour and if he works so many hours at the pedestrian crossing it will amount eventually to so much money spent merely taking care of a pedestrian crossing when an ordinary lollipop man could be doing the job cheaper and just as effectively without the need to have a full-time constable with all his training to do a simple job like that?

HON M K FEATHERSTONE:

I will look into the matter, Sir.

MR SPEAKER:

Next question.

NO. 289 OF 1983

ORAL

THE HON A T LODDO

Mr Speaker, when does Government estimate that the protective grills to the windows of the houses in Hargraves Barracks will be put up?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the protective screens to one flat at Hargraves Barracks were made and supplied for fixing on 10 June, 1983. The tenant however refused to accept the framed expanded metal screens and demanded decorative steel grilles. It is not proposed to accede to this demand as it is considered that the screens which have been supplied are suitable for the purpose for which these were requested.

The screens refused by this tenant will be fixed to the flats of the other two tenants who have requested similar screens.

SUPPLEMENTARY TO QUESTION NO. 289 OF 1983

HON A T LODDO:

Mr Speaker, if these screens were ready on June 10th why has it taken so long for Government to decide, in view of the fact that this other tenant refused the screen, why has it taken Government so long to decide to install it in the other two houses?

HON M K FEATHERSTONE:

Because an opportunity was given to the first tenant who was first on the list to reconsider the situation. He was given fourteen days but he does not wish to accept it and we will now go to the other places.

HON A T LODDO:

Mr Speaker, then could I repeat my question? When does Government intend that the protective grills to the windows of the houses at Hargraves will be put up?

HON M K FEATHERSTONE:

Well, I should hope within the next fortnight on the other two.

MR SPEAKER:

Next question.

THE HON A T LODDO

Mr Speaker, is Government aware that certain parts of the Alameda Gardens are in an absolutely filthy state, and what does it intend doing to correct this?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Government is aware that certain parts of the Alameda Gardens and also other planted areas are now becoming very dry and therefore unsightly as these green areas are not being regularly watered during the dry season.

Owing to the shortage of potable water Government considered it necessary to curtail the use of this water for the purpose of watering plants.

A limited amount of water stored at the Humphreys Building underground tank is being pumped out daily and used for the watering of plants in certain areas as this water is unfit for dietetic use.

SUPPLEMENTARY TO QUESTION NO. 290 OF 1983

HON A T LODDO:

Mr Speaker, I do not think that the Hon Minister has understood my question. I was not talking about dry vegetation, I was talking about filth. The Alameda Gardens are in an absolutely filthy state. There are tin cans, papers, bottles, you name it, they are strewn around, that is what I am referring to. What is Government doing to clean up our only park which is not only used by the inhabitants of Gibraltar but by tourists? What is Government doing to correct this state of affairs?

HON M K FEATHERSTONE:

The information given to me, Sir, was that there were a number of odd tin cans or bottles around but they did not give rise to the phraseology 'absolutely filthy state' and the only area which my department felt was being referred to were areas which were really so burnt up of plants etc, which looked very derelict and very scruffy.

HON A T LODDO:

Mr Speaker, can I assure the Minister that whoever has given him the information has given him incorrect information, that the area is absolutely filthy particularly Lovers' Walk, that is one of the worst areas, absolutely filthy, and will the Minister ensure that the Alameda Gardens department cleans up the area?

HON M K FEATHERSTONE:

I will see that they do a clean up in the area so that lovers are not distracted from their normal pursuit by tins, cans and all the rest of it.

MR SPEAKER:

Next question.

THE HON W T SCOTT

Sir, will Government make a statement on its policy with regard to the safety to swimmers in beaches and lidos against the background of the recent drowning at Catalan Bay?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, there is obviously a limit to the possible safeguards that Government can reasonably provide for the safety of swimmers in the beaches. In recent years beach guards have been provided at all our beaches during the school summer holidays. There are also boats and safety lines during this period. It has always been the practice during the bathing season to fly the red flag if the state of the sea is considered dangerous. There are clearly no practical means by which safety facilities can be provided for swimmers at all times.

The recent tragic accident at Catalan Bay was an unfortunate incident which occurred when it was not considered necessary to fly the red flag as the state of the sea was not deemed to be dangerous.

SUPPLEMENTARY TO QUESTION NO. 291 OF 1983

HON W T SCOTT:

I will leave the last part, Mr Speaker, to a subsequent meeting of the House. But does the Government not consider it not only advisable but very necessary to put at least a skeleton lifeguard system into operation before the school holidays commence because we advertise through tourist brochures and so forth our sun, sea and sand and we are attracting tourists to the beaches and does not Government think it advisable that we should have some form of a system?

HON M K FEATHERSTONE:

This is a point which bears a certain amount of consideration insofar that if one is going to have a skeleton type of lifeguard service, is the skeleton service going to be on one beach yes and one beach no because then there would be complaints as to why should not all the beaches have it. Also why do we not provide such a service on good days in the winter when swimming is possible. The Government has to limit its lifeguard service within the financial constraints that are upon it and it was felt that the service should be given during the main period of time which is the school summer holidays.

HON W T SCOTT:

I am asking Government to reconsider that, that is what I am asking, to perhaps avoid a similar occurrence happening again.

HON M K FEATHERSTONE:

Perhaps the simplest answer would be to put the red flag up every day, 365 days a year.

HON W T SCOTT:

Mr Speaker, that comment against the background of the recent drowning is a bit sickening.

HON M K FEATHERSTONE:

I think one should not talk about the recent drowning as there has not yet been a result of the inquest, one does not even know that the person drowned.

MR SPEAKER:

Next question.

THE HON W T SCOTT

Sir, will Government make a statement on the implementation of the 2-shift system at the Refuse Destructor and the new hours of working of street cleaners including the projected costs thereof?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

The vacancies for the new posts arising from the implementation of the 2-shift system have already been advertised within the Government service. The closing date for applications was Friday 1 July.

Once suitable applicants have been selected the 2-shift mode of operation will commence as soon afterwards as possible.

The new 2-shift system will give 73 hours of burning time compared with last year's burning time of 53.5 hours. Costs are in the region of £185,000.

All street sweepers work a basic 39-hour week, Mondays to Fridays.

On Saturdays 12 sweepers and 2 supervisors work 8 hours overtime and on Sundays 5 sweepers and 1 supervisor work 4 hours overtime.

On Public Holidays 5 sweepers and 1 supervisor work.

Costs are within the figures given in the Estimates.

Sir, will Government inform this House if there have been any applications from companies of Spanish origin for inclusion in the PWD List of Approved Contractors in different categories?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Sir, to date no applications from Spanish companies have been received for inclusion in the PWD List of Approved Contractors.

SUPPLEMENTARY TO QUESTION NO. 293 OF 1983

HON W T SCOTT:

Mr Speaker, the question was not Spanish companies, the question was from companies of Spanish origin, I think there is a distinction.

HON M K FEATHERSTONE:

I am not quite sure what is meant by of Spanish origin. If, and this is only a hypothetical point, if you have a Gibraltar registered company in which the shareholders happen to be Spaniards, would that be classified as Spanish origin? I don't know. However, as far as the answer goes, we do not know of any Gibraltar companies that have Spanish shareholders that have applied.

HON W T SCOTT:

Presumably that is after the relevant search has been made of the Companies Register otherwise how can the Minister answer in that way?

MR SPEAKER:

May I come to the rescue of the Minister and say that that of course is information which is easily available by making a search in the Registry of Companies, anyone can make a search.

HON W T SCOTT:

Yes, Mr Speaker, but the Minister has said no presumably, I am assuming, after having made that search. Has that search been made?

HON M K FEATHERSTONE:

Well, we have not made such a search but I can tell the Hon Member that we have not had any new applications for inclusion in our List from anybody.

Mr Speaker how much revenue does Government derive from the advertising on boards fixed to tubular rails at the Sundial Roundabout and at the entrance to Main Street?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Sir, as I said in answer to Question No 231 of 1983 the revenue derived from the advertisements displayed on pavement barriers is approximately £1000 per annum.

THE HON MAJOR R J PELIZA

ORAL

Can the Minister for Public Works inform the House if he can now make a categorical statement that the litter at Jumper's Bastion has now been removed?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Sir, following the action taken by the officers of the Crown Lands Department most of the offending articles deposited by the tenants of the vaults at the North Jumper's Bastion have been removed.

The remaining accumulation of litter and old domestic appliances will need to be removed by the Government's cleansing Section, as soon as the labour force resources become available, as the tenants disclaim ownership of these articles.

SUPPLEMENTARY TO QUESTION NO. 295 OF 1983

HON MAJOR R J PELIZA:

Is the Minister aware that he has been asked this for the third time and it is the fourth month or more that the matter was first raised in this House and that in fact this morning I have looked at the place and there is still litter there, litter which I think cannot be claimed by anybody to be his and could the Minister look into this and could the Minister also arrange for someone in his department to go round looking at Gibraltar, finding where all this litter is and making arrangements to have it picked up without Members of this House having to keep asking question after question to have it removed?

HON M K FEATHERSTONE:

Sir, the position is that this accumulation of rubbish etc., was as far as Government appreciated the situation, the property of the tenants of that area and they were therefore requested and told that they had to remove the offending litter. Some of it was removed but the balance they claimed does not belong to them. There has been a considerable amount of argument between the Government and the owners of the works in that area as to whether this is true or not. Since it seems that we cannot fully lay blaming this litter onto their shoulders, the position must be that Public Works sooner or later will have to clear it up. At the moment Public Works is rather short of men, it is Ramadam, and that has been why there has been a certain amount of delay.

HON MAJOR R J PELIZA:

Does the Minister not agree that this is not the way of keeping Gibraltar clean and tidy?

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

ORAL

Will Government take action to clear the litter at Wellington Front in an area directly overlooked by the windows of the Government Secretariat?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, Wellington Front premises have been vacated and other users are taking over.

The new users are necessarily carrying out building works internally to suit their needs and these factors have led to an accumulation of unwanted goods and debris.

As is usual in these cases litter is also likely to accumulate. Until such time as these works are completed and all the new users are permanently installed this situation is likely to continue.

Government is using its best endeavours to keep these accumulations to the minimum, but for all intents and purposes Wellington Front at present could be deemed to be a site where construction works are being carried out and until these operations cease it is obviously not possible to keep the place neat and tidy.

SUPPLEMENTARY TO QUESTION NO. 296 OF 1983

HON MAJOR R J PELIZA:

Would the Minister perhaps believe me if I told him again that there are items lying around right in the middle of the area which are old cookers and nothing to do with a construction but just litter and that I think that in a place where it is being overlooked by Government offices that should certainly not be allowed?

HON M K FEATHERSTONE:

I am fully willing to believe the Hon Member. If you care to get a small bucket full of builders debris and place it in the street you will find within ten minutes it becomes a heap of all types of litter from old mattresses and old cookers to what have you.

HON MAJOR R J PELIZA:

Perhaps the Minister would like to believe me again that this particular cooker that I am referring to has been there for three months, Mr Speaker, lying on the floor for three months and I am sure that if the Minister had some inspector going round making sure that the places were kept clean perhaps Gibraltar would look much more attractive to tourists.

HON G T RESTANO:

Mr Speaker, how often does the Public Works Department go down to Wellington Front to clear rubbish?

HON M K FEATHERSTONE:

The situation as I have already ¹⁰²said is that as far as Public Works

is concerned there are building operations going on at Wellington Front. It is not Public Works' job to remove builders debris under any circumstances, the onus is on the people creating the debris to remove the debris themselves. If, however, other rubbish gets put on to it, it is rather difficult for Public Works to be blamed for such accumulations mounting up.

HON G T RESTANO:

That wasn't the question at all. The question was how often does the Public Works Department go down to Wellington Front to clean rubbish?

HON M K FEATHERSTONE:

They don't go there, they have no need to go down there, it is not an area that should normally have any need for anything.

HON P J ISOLA:

Does that mean that if somebody dumps rubbish in Main Street because they shouldn't have dumped it, that the Public Works Department does not collect it, it doesn't recognise any of it because it is not normal, doesn't recognise any responsibility?

MR SPEAKER:

Next question.

NO. 297 OF 1983

ORAL

THE HON A J HAYNES

Will Government state the present position as regards the refurbishment of the old Mackintosh Square fountain?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the refurbishment of the old Mackintosh Square fountain has been considered by Government and it has been decided that a replica of the old fountain cannot be approved as this would be extremely costly.

It is intended that a new fountain, which would include the main bowl and two of the original base panels sculptured with lion heads of the old fountain, is to be designed and costed.

The new fountain will be smaller and of a more simple design. A firm decision will be taken by Government once the cost is known.

SUPPLEMENTARY TO QUESTION NO. 297 OF 1983

HON A J HAYNES:

Mr Speaker, I do not have the Hansard unfortunately with me but I do remember telling the Minister to incorporate the old fountain into a new fountain about a year ago, that means we have lost a year on this as another tourist amenity. As I understand it also, Mr Speaker, perhaps the Minister will confirm, the decision to incorporate the old fountain into a new fountain was accepted some time ago and yet no action seems to have been taken, is that correct?

HON M K FEATHERSTONE:

No, what was considered some time ago was to try and reproduce a replica of the old fountain using the actual pieces that were still available but to produce that replica would cost a very high figure indeed and therefore a more modest type of fountain still using as much as we can of the old fountain is what is projected.

HON A J HAYNES:

Will the Minister state when he expects this more modest fountain to be commissioned?

HON M K FEATHERSTONE:

When the gentleman who is possibly likely to get the job can give us some idea of the costings involved.

HON A J HAYNES:

The other thing, Mr Speaker, is it going to be sited in the same location as the present fountain in Mackintosh Square or not?

HON M K FEATHERSTONE:

No, I think the location is going to be closer to the City Hall.

HON A J HAYNES:

Is there any other plan afoot in respect of the Piazza in its embellishment which is going to take place at the same time or not?

HON M K FEATHERSTONE:

There is a long term plan for a total embellishment of the Piazza and a remodelling of the Piazza but I do not think this will occur at the same time.

HON A J HAYNES:

Will the Minister undertake to consult Members of the Opposition and the public at large in respect of the final and further refurbishment of the Piazza?

HON M K FEATHERSTONE:

I think in May this year there was an exhibition at the John Mackintosh Hall in which actual plans and drawings of a proposed new Piazza were actually exhibited and the public were asked to make any comments they wished. I am not sure if any Member of the Opposition visited that but of course their comments would be appreciated. I think the idea is also when the new plans are finalised they will once again be exhibited for public exhibition and discussion and comment before any definite decision is made to go ahead with the works.

HON A J HAYNES:

Can the Minister state when he thinks that these plans will be produced again?

HON M K FEATHERSTONE:

I would not like to give a date but I should say it would take another six months at least.

HON W T SCOTT:

Mr Speaker, does the Government have any intention of removing the existing fountain because it seems to me to be a terrible eyesore?

HON M K FEATHERSTONE:

Well, possibly when the new fountain is put in hopefully reasonably soon, then the present fountain will be covered over so that it is less of an eyesore.

HON W T SCOTT:

But is there any reason why that cannot happen earlier because it is not operating as a fountain, it hasn't for quite a while now?

HON M K FEATHERSTONE:

Basically the expense.

MR SPEAKER:

Next question.

NO. 298 OF 1983

ORAL

THE HON MAJOR R J PELIZA

Has the Minister for Economic Development, Port and Trade got any comparative statistics of ship arrivals at Gibraltar and Ceuta?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

No, Sir, comparative ship arrival figures between the two ports cannot be given, as figures in respect to the port of Ceuta are not available.

THE HON MAJOR R J PELIZA

Can the Minister for Economic Development, Port and Trade state if fewer tankers are making use of our Port facilities?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the Port Department classified deep sea ship calls into their main purpose of call as follows:- Passenger, Cargo, Bunkers, Repairs and Others, and does not differentiate between cargo vessels and tankers. The question cannot therefore be answered directly.

In order to give the Hon Member the pattern of shipping the following figures show the break-up of the deep sea vessels during the last three years:-

	<u>Passengers</u>	<u>Cargo</u>	<u>Bunkers</u>	<u>Repairs</u>	<u>Others</u>
1980	87	225	364	108	727
1981	65	195	414	104	701
1982	102	174	390	64	633

SUPPLEMENTARY TO QUESTION NO. 299 OF 1983

HON MAJOR R J PELIZA:

Is it fair to assume then that although we see more tankers in the bay those tankers that are seen there are not necessarily coming to Gibraltar but lots of them are utilising the other port at the other side of the bay in Algeciras?

HON A J CANEPA:

Many of them are waiting for orders particularly in the bay and on the East Side.

HON MAJOR R J PELIZA:

And when they are waiting for orders do they make use of the Gibraltar port in any way?

HON A J CANEPA:

I think that those in the bay within our area of jurisdiction certainly pay certain dues. On the East Side I do not think that they do.

MR SPEAKER:

Next question.

THE HON A T LODDO

Mr Speaker, will the development of the area between the Viaduct and Waterport Wharf involve the resiting of the refrigeration plant at Waterport Wharf?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the recommendations in the Port Study are that the area between the Viaduct and Waterport should be reclaimed and developed as a Roll-on/Roll-off Ferry Terminal. In such an event the Study envisaged that the refrigeration plant at Waterport Wharf would probably have to be reprovisioned in order to improve the road access to and from the proposed Ferry Terminal.

SUPPLEMENTARY TO QUESTION NO. 300 OF 1983

HON A T LODDO:

Mr Speaker, can I ask has this been known to all and sundry in Gibraltar or is this being revealed today?

HON A J CANEPA:

On the 28th October last year, in 1982, an application was received to assign the unexpired residue of the lease to Central Cold Stores Limited. The landlord approved this assignment on the 13 December, 1982, on certain conditions and in approving this condition of assignment the applicants were informed that there was a possibility of redevelopment at some future date and the Government could not guarantee the renewal of the lease upon expiry. However, I should add that in fact this refrigeration plant was leased to Prescott Limited in April, 1977, for a term of 21 years but in approving this condition of assignment, it was made clear that there was the possibility of redevelopment and then the question of reprovisioning would arise.

HON A T LODDO:

Mr Speaker, can I then assume that the Government accepts the responsibility of finding alternative accommodation for the refrigeration plant there?

HON A J CANEPA:

Not necessarily, Mr Speaker.

HON A T LODDO:

Can I then assume that the Government accepts responsibility for refunding this lease?

HON A J CANEPA:

No, I think what happens, Mr Speaker, is that the Government has got certain responsibilities as a good landlord and even though the provisions of the Landlord and Tenant Ordinance in respect of business premises are not binding on the Government, the Government nevertheless acts as if they were and does act as a good landlord so it does take into account these considerations when a tenancy has to be terminated because there is the public interest demand that that should be the case in respect of redevelopment or what have you.

MR SPEAKER:

Next question.

NO. 301 OF 1983

ORAL

THE HON MAJOR R J PELIZA

Can Government specify the cost of the Peida Reports, and of A R Belch Associates, and Coopers and Lybrand Associates, and of any other Reports not known to this House in connection with the closure of the Dockyard?

ANSWERTHE HON THE CHIEF MINISTER

No, Sir. The cost of the Reports is met by the Overseas Development Administration and it is not their practice to inform overseas Governments of the costs of Reports carried out on their behalf.

NO. 302 OF 1983

ORAL

THE HON MAJOR R J PELIZA

Has Government got any information on the breakwater or jetty being constructed to the north of the Airport runway, in Spain?

ANSWERTHE HON THE CHIEF MINISTER

Sir, according to Spanish sources, the breakwater has been built to provide protection for vessels using the San Felipe Jetty.

SUPPLEMENTARY TO QUESTION NO. 302 OF 1983

HON MAJOR R J PELIZA:

Could it also be assumed that perhaps this could lead to another Marina in that area?

HON CHIEF MINISTER:

It could be, I have no information about that but I believe there have been some suggestions that it could be used for fishing boats and other commercial purposes.

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

Will Government consider proposing to His Excellency the Governor the formation of a Police Committee to ensure that such non-security matters for which the Police are responsible are satisfactorily undertaken?

ANSWERTHE HON THE CHIEF MINISTER

Sir, in the United Kingdom, Police Forces are established area by area. The general function of a Police Committee, under the Police Act 1964, is to secure the maintenance of an adequate and efficient Police Force for its area.

In Gibraltar, as Chief Minister, I meet regularly, and have done so since April 1980, on a monthly basis with the Governor and the Commissioner of Police, who reports generally on matters of police administration and responsibilities other than, of course, enforcement of the law in particular cases. I have found this practice most useful and helpful for the purposes set out in the question.

SUPPLEMENTARY TO QUESTION NO. 303 OF 1983

HON MAJOR R J PELIZA:

Is the Chief Minister satisfied with the way that the Police are discharging their responsibility towards the dumping of rubbish in Gibraltar which apparently is not being enforced and should be?

HON CHIEF MINISTER:

I looked at the question in a much broader sense than rubbish but at these meetings complaints are made to the Commissioner by me on any matters that have been brought to my attention by Ministers. Questions which are asked and answered here are referred to the Commissioner through the Attorney-General and at these meetings the matter is aired. I have not hesitated to express the regret that many Ministers express to me as to sometimes the lack of cooperation particularly in respect of the litter laws in Gibraltar.

HON MAJOR R J PELIZA:

Could he perhaps, Mr Speaker, take up particularly the enforcement of the litter laws?

HON CHIEF MINISTER:

Certainly.

MR SPEAKER:

Next question.

THE HON MAJOR R J PELIZA

Will Government state if they have given consideration to move the House of Assembly or the Museum to the Garrison Library under a possible arrangement with the Trustees?

ANSWERTHE HON THE CHIEF MINISTER

As with other sites in Gibraltar, the Government has considered the possible use of the Garrison Library complex were it no longer to be used for its present purposes. One of the favoured uses would be to house the Museum but no decision can be taken as there is little likelihood of obtaining vacant possession in the foreseeable future. My own personal view is that the House of Assembly should not be moved unless there were to be some very compelling reasons.

NO. 305 OF 1983

ORAL

THE HON A T LODDO

Mr Speaker, have Government reached a decision with regard to the restoration of the Gustavo Bacarisas painting and the murals in the Convent and the Collection Department?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, as the DOE is responsible for works maintenance, furniture and fittings at the Convent, the Government is of the view that the DOE should assist financially towards the cost of the restoration of the murals at the Convent, as well as with the practical arrangements. This has already been taken up by the Chief Minister through His Excellency the Governor, and I will inform the House as soon as the outcome is known. When this is settled the Bacarisas painting and the mural at the Collection Department can be dealt with at the same time.

NO. 306 OF 1983

ORAL

THE HON P J ISOLA

Sir, can the Chief Minister state whether the talks announced between his Government and GBC have now been concluded and can he now inform the House whether the Government has now been provided with detailed information of the extent of advertising on GBC of products in Spain and will Government make a statement?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the discussions to which I referred in answer to the Leader of the Opposition's question have now been concluded.

I understand that the Board of GBC has accepted the Government's reasons for cutting the subvention and is confident that GBC will maintain an adequate service, though some curtailment in due course may become necessary. However, as the Hon Member will no doubt appreciate, a great deal will depend on whether GBC's revenue projections are met.

Advertising by Spanish firms on GBC represented 13% of the air time available to advertisers in April last year. In May it was 17.4% and it is expected that the figure will reach 17.8% in June.

SUPPLEMENTARY TO QUESTION NO. 306 OF 1983

HON P J ISOLA:

Mr Speaker, how can that be accurate? Is the Minister aware or has he been given information as to why the advertising of Spanish products is done at peak times because it is too continuous certainly as far as I can see from watching television, it still constitutes on television over 50% of the advertising space?

HON CHIEF MINISTER:

Either the Hon Member is wrong or the television are giving free time to Spanish advertisers. I would rather think that the latter is not likely to be the case. The April figures show that out of £8,793 worth of advertisements £1,168 were advertisements of the nature referred to and in May out of £12,761, £2,213 were advertisements from those sources.

HON P J ISOLA:

Is the Chief Minister joining television and radio or is he just giving the television adverts?

HON CHIEF MINISTER:

I am sorry, I do not know. I do not think there is much advertising on radio and it would not be worth very much, anyhow. I think it is general but in any case it would not make much difference because the advertising on radio is cheaper than advertising on television.

HON P J ISOLA:

Could it also be that the advertisers of products in Spain are getting a better deal than local advertisers and that explains the financial results?

HON CHIEF MINISTER:

I am quite certain that that is not the case.

HON P J ISOLA:

Can the Chief Minister state whether in his view it is desirable that the matter of advertising of Spanish products should be put on GBC and has Government considered giving directions in this respect?

HON CHIEF MINISTER:

I do not think that they would be covered under directions, I said that I did not particularly like those advertisements but it has a proportion of the revenue, we have cut the subventions, I am advised and I will say no more than that, that a considerable amount of the advertising is geared for English speaking viewers of Gibraltar television in the Costa del Sol otherwise they would not advertise the service for Rolls Royce, there is only one in Gibraltar, and in any case the amount that is got out of that advertisement would have to be made up if we were to decide to give them directions that those advertisements should not appear.

HON P J ISOLA:

How does this situation and the continuation of this situation, Mr Speaker, how does that help the Government policy announced in this House about not encouraging people to go to Spain? Is not the Government with a service that is heavily subsidised by the public, not allowing that service to be used precisely to do that which the Government does not want it to do and has Government got a policy on this?

HON CHIEF MINISTER:

The Government has a policy but GBC has the need to obtain funds and the Government would have to be minded to make up the difference on the advertisements if in fact having regard to the very severe cuts we have made to the Station they have been trying to absorb them without affecting the service substantially. I do not like those advertisements myself but that is purely my own view. I think that before we decide whether we should cut or rather give directions, we should be in a position to make up for the revenue that they will lose by that and at this stage I am not prepared to consider that unless, of course, there is a general view that that should be the case. I am prepared to consider it with my colleagues but at this stage I was answering the question on the discussions that have taken place. I would like to state and pay tribute to the members of the Board who have gone into the cuts that were made at the time of the budget and have endeavoured to approach them without affecting the service rendered by television.

HON P J ISOLA:

Can I gather from that answer, Mr Speaker, that GBC now has got an absolutely free hand to take as much advertising on Spanish products in Spain as they can get their hands on with the blessing of the Government?

HON CHIEF MINISTER:

They have always had a free hand to take advertisements so long as it is moral and within the standards set out in the directions. They have not been given any special licence, they have accepted the offers of, I suppose, agencies who have put these advertisements in. They have not been given any charter, they have not had taken away any rights that they had before.

HON G T RESTANO:

Mr Speaker, nobody in the House seems to like the adverts, quite rightly so, but I think it is misleading to be given a figure of 13%, that cannot possibly be correct. The question says quite specifically 'of products in Spain' and I think that that 13% cannot possibly be accurate, it cannot be accurate

MR SPEAKER:

Please ask a question.

HON G T RESTANO:

Could the Chief Minister undertake to make further investigations as to this percentage?

HON CHIEF MINISTER:

Let me put it this way, if I find that the figures are not correct I will write to the Hon Member informing him.

HON P J ISOLA:

Could we ask that the Auditors of GBC report on the accuracy of these figures, let us have an Auditor's report on this.

HON CHIEF MINISTER:

Let me say that if these figures have been given to me by the administration and by the Board I must accept them, I am not going to send an auditor around. Whether it includes radio or not is another matter but I think it would be most improper, apart from checking the figures in case there has been error, to suggest that these figures have been in any way cooked for the purpose of this answer. Certainly it is not my understanding nor would I think anybody at GBC would be minded to do that.

HON G T RESTANO:

Could the Chief Minister find out if in the figures that have been given are included advertising for Spanish products put in by Gibraltar companies?

HON CHIEF MINISTER:

Yes, of course.

MR SPEAKER:

Next question.

NO. 307 OF 1983

ORAL

THE HON P J ISOLA

Sir, can Government explain why no Chairman has yet been appointed to the Gibraltar Broadcasting Corporation and can Government outline the difficulties it is encountering in the appointment of one?

ANSWERTHE HON THE CHIEF MINISTER

Sir, I have made one or two soundings and am considering other possibilities. I have, of course, had to deal with other pressing matters recently.

We are fortunate in that the Board has a very experienced Acting Chairman - and experienced members to assist him - who is prepared to hold the fort while a suitable successor is found.

The main requirements are that the Chairman should be, and should be known to be, politically impartial and that he is able to devote the time required for carrying out the duties of the appointment. There are no other special difficulties.

SUPPLEMENTARY TO QUESTION NO. 307 OF 1983

HON P J ISOLA:

Mr Speaker, how can the prospective Chairman be politically impartial if it is within the patronage of the Chief Minister?

HON CHIEF MINISTER:

I would rather not answer that question.