

GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

Meeting of
26 March 1985
68 to 136

NO. 68 OF 1985

ORAL

THE HON J C PEREZ

Has Government now given consideration to the proposal made by the Opposition that in future the Estimates of Expenditure should show the operating cost of the Post Office Savings Bank separate from the postal operations?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, as the Hon Member is aware the operations of the Savings Bank are shown separately in the Accounts of the Government - on page 95 of the 1983-84 Accounts. These accounts are sufficiently informative and I see no need to change the existing arrangements.

SUPPLEMENTARY TO QUESTION NO. 68 OF 1985

HON J C PEREZ:

Can I remind the Government that when I suggested it at the budget session last year the Hon the Minister for Postal Services said he thought it was a good idea and that he would study it.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Obviously the Minister for Postal Services, if he said it, may wish to comment on that but I think I can explain the background of it. The account is based on an apportionment of expenditure; salaries, rent, lighting, travelling expenses and so on, plus actual expenditure which is overtime and so, indeed, are the memorandum trading accounts of the various funds, indeed, so are all accounts where an apportionment of overhead expenditure is made and I think that the information shown on page 95 is, as I have said to the Hon Member, sufficiently informative in this particular Head and we see no pressing need for a change.

HON J BOSSANO:

We are talking about the Estimates of Expenditure in the context of when we come to the budget having a better idea in this House as to what each of the areas of Government activity is going to cost in the next twelve months. We are not talking about finding out twelve months after the account has closed what it cost twelve months before. Surely, the Hon Member can understand the difference between the two?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I do understand the difference between the two, Mr. Speaker, but I would remind him that what I have just said is something which applies to all funds. We have special funds which are included in the Annual Accounts of the Government and I do not think there is any suggestion here that we are concealing information from the House, quite the contrary. I do recall the discussion on this in the budget and I think the particular point which Hon Members had in mind was the fact that a sum of the order of £1,000 was overtime expenditure which was directly allocated to the Fund. I accept that that particular figure of £1,000 had not been voted by the House but I think it would be absurd to change the arrangements simply on account of one item of about £1,000 when the information is brought before the House.

HON J BOSSANO:

It seems, Mr Speaker, that the Hon Financial and Development Secretary has made an assumption about the intention of the question and he is answering the question on the basis of his assumption. This has nothing to do with the fact that £1,500 was spent on overtime in the fund as was established by looking at the audited accounts. This has to do with a statement made last year in the budget about the presentation of the accounts. Would the Hon Member not agree with me that whereas, for example, there are special funds for housing and telephone and electricity and water where the House is presented with estimates and will be presented with estimates shortly about the anticipated cost of these services in 1985/86, the same will not happen in respect to the Post Office, is that not the case?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

That is not quite the case because the Post Office estimates and, indeed, the estimates of all Government Departments will include elements of expenditure which may subsequently be apportioned to the Post Office Savings Bank as part of the apportionment of charges which are included in the general budget, the information is already there, but I agree that the apportionment does not feature in the estimates but, as I said, I do not think that that particular fact bearing in mind the arrangements which are made for special funds generally is a serious deficiency in the information which is presented to the House.

HON J BOSSANO:

Mr Speaker, is it not the case that if one looks at Head 17 - Post Office Savings Bank and Philatelic Bureau, the House is provided with a breakdown into two elements; (1) the Postal Services and the Savings Bank and (2) the Philatelic Bureau and, clearly, if it is desirable that one should be able to equate the income and the expenditure of the Philatelic Bureau which one can do by looking at revenue and expenditure, surely it must be valuable, Mr Speaker, to be able to establish what is the cost of the postal operations which, strictly speaking, have no reason to be amalgamated with the Savings Bank operation which is a different thing altogether and since, in fact, the Hon Member produces retrospective audited accounts for the cost of the Savings Bank 24 months after the event, why cannot he tell us what is likely to happen in the forthcoming twelve months, what is there fundamentally to stop him doing that?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think the Hon Member's point about the expenses of the Philatelic Bureau and the Post Office expenditure is an entirely different point, Mr Speaker.

HON J BOSSANO:

I haven't asked him whether he thinks it is the same point or a different one, I am asking him what is there to stop him doing what was said last year to be a good idea and was going to be looked at and which he hasn't given one single reason for not doing, Mr Speaker, except that he seems to have misunderstood the intention behind the question?

MR. SPEAKER:

In fairness, I think we have gone as far as we can go. The answer has been explicit, the Government considers that there is no need to change the existing arrangements. Whether it is right or wrong is another matter. Next question.

NO. 69 OF 1985

ORAL

THE HON J C PEREZ

Has Government now given consideration to the proposal made by the Opposition that the postal charges for carrying official mail should be shown in the Estimates of Revenue and Expenditure?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the Minister for Postal Services and I both accept that there is a good deal to be said for this proposal but, having regard to the existing pressures on Treasury Staff, I have not yet been able to devote the resources necessary to consider the matter in detail or reach a conclusion

SUPPLEMENTARY TO QUESTION NO. 69 OF 1985

HON J C PEREZ:

Mr Speaker, does that mean that the Government is still considering it and that if this is not shown in the presentation of the estimates this year it might be that we will see it at a future date?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, I think there is prima facie a good case for establishing the Post Office which is really a public utility like electricity, water and telephones, as a trading account with the Post Office Fund, time and resources are the main considerations but we will consider it.

MR SPEAKER:

Next question.

NO. 70 OF 1985

ORAL

THE HON J C PEREZ

Is Government now able to state what are the requirements that have to be met for an employer to pay tax-free salaries to any of its employees?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, advice to employers wishing to pay salaries net of tax can be obtained from the Commissioner of Income Tax on demand. Broadly speaking, the Commissioner would need to know what the annual net of tax salary is going to be. He would then calculate by reference to the employees tax allowances both gross salary and tax due. The employer would then be required to make monthly payments on deposit on account of the annual liability.

SUPPLEMENTARY TO QUESTION NO. 70 OF 1985

HON J C PEREZ:

Does that mean that the tax is deducted from the gross?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The tax is paid by the employer, Mr Speaker. That would be the difference, I think, between that and the normal arrangement.

HON J C PEREZ:

But is that assessed from the gross or from the net?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The tax would be an addition to the net.

MR SPEAKER:

Next question.

NO. 71 OF 1985

ORAL

THE HON J C PEREZ

Can Government state what was the premium paid in the current financial year for the external insurance of essential Government assets and to what Head of Expenditure was this charged?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, a premium of £3,223 was paid on 30 January, 1985, to cover the first unit and the buildings of the desalination plant at Waterport. Cover was obtained for the period 21 January 1985 - the take over date, to 2 May 1986, ie when the three year insurance cover for all external insurance for essential assets expires. As I stated during supplementaries to Question No. 93 of 1984 the sum of £31,011 was paid in 1983/84 to insure Waterport Power Station, the North Face Distiller, the Refuse Destructor and the Telephone Exchange against named risks.

Both the original and the additional premia were charged to the Gibraltar Government Insurance Fund.

SUPPLEMENTARY TO QUESTION NO. 71 OF 1985

HON J C PEREZ:

Mr Speaker, since the Government did not make a contribution last year to the Insurance Fund from the Consolidated Fund would that mean then that the sum of money paid for the insurance of essential Government assets has come out from the Insurance Fund this year without Government having made a contribution to it?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The Government did not, as the Hon Member will be aware, in this current year provide for a contribution to the Insurance Fund but as I said in my answer, the premia for these assets were in fact paid out of the Insurance Fund.

HON J C PEREZ:

Does that mean, Mr Speaker, that the Government thought that there was enough money in the Insurance Fund and that it didn't need a contribution notwithstanding that the money has been paid?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Clearly, Mr Speaker, if the Government did not ask the House to vote a contribution to the Fund in 1983 it follows, certainly, that the Government considered that the balance in the Fund was adequate to meet the likely charges on it in this current year.

HON J BOSSANO:

Mr Speaker, can the Financial and Development Secretary confirm that the Auditor has for a considerable number of years challenged the charging of premia for external insurance to the Government Insurance Fund and suggested that it is not a desirable way of dealing with the matter and that in fact the payment to outside insurers should be part of the Estimates of Expenditure and voted on and be shown under a Head of Expenditure, can he confirm that that is the case?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I must confess that I wasn't aware that the Principal Auditor had for a great many years made this recommendation, Mr Speaker. I will certainly take steps as I do on all those occasions when the Hon Member points out to me the inadequacy of my knowledge of the history of accounting arrangements in Gibraltar, I will take steps to acquaint myself.

HON J BOSSANO:

Would the Hon Member agree, Mr Speaker, that in fact if he charges as he has done in the current financial year, the cost of the premia to the Funded Accounts then that has a distorting effect on the results of the Government's estimates of revenue and expenditure in that there is a transfer from the special funds to the Consolidated Fund and yet the expenditure is not subsequently transferred from the Consolidated Fund to the Government Insurance Fund from which it is paid to outside insurers?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I am afraid I didn't follow that in great detail, Mr Speaker, but I think the answer to the question is no, I will not agree.

HON J BOSSANO:

Mr Speaker, since the Hon Member was incapable of following it perhaps I can do it again for his benefit and then he might agree. Would he not accept, Mr Speaker, that if he is charging as he has done in 1984/85 the cost of premia to the Electricity Fund and the Water Fund, this appears as part of the reimburse-

ments and consequently as revenue for the Consolidated Fund and when one is looking at the end result and comparing revenue with expenditure, since he has on the revenue side the income from the premia from the Funds and he doesn't have on the expenditure side the payment of the premia to the other Fund, there is a surplus created which is totally artificial, would he not agree with me that that is the case and that it is not a desirable way to show the accounts?

MR SPEAKER:

Are you saying that there is a credit without a debit?

HON J BOSSANO:

That is precisely what I am saying, Mr Speaker.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think I understand the point the Hon Member is making, it is that we are showing in the Accounts of the Funded Services insurance premia and his argument, I believe, is that if that is the case and yet we are not making any contribution to the Insurance Fund we are overcharging the Fund - I am seeking confirmation that that is the point that the Hon Member is trying to make.

HON J BOSSANO:

Whether we are overcharging the Fund or not is a separate point, Mr Speaker, what I am saying is that in terms of the Government's own accounts since the cost of the premia is being charged to the Special Fund and therefore appears as a counter entry under re-investments as revenue but does not appear on the expenditure side on the body of the Estimates, if one were to take expenditure and income in respect of the Funded Accounts one would show a surplus created by the charging of the premia to the Special Fund since there is no payment charged on the expenditure side of the Estimates and that is an inaccurate way of showing the situation.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, I think I can correct the Hon Member on that particular point because if he in fact looks at the Estimates for the Fund he will notice that there is an absence of any provision for apportionment of a contribution which was not made, specifically in the case of Housing, of course.

MR SPEAKER:

With respect, I think this is a matter which I think needs clarification and you can both get together later on.

HON J BOSSANO:

No, Mr Speaker, I am sorry, it doesn't need clarification.

MR SPEAKER:

May I ask what is the information you are asking?

HON J BOSSANO:

The Hon Member has just given the House information which I am not asking. He has just said that the Housing Fund has not been charged with a portion of £100,000 which was not paid, well, that is obvious, how can you charge a portion of £100,000 that you haven't paid, I am not saying that, Mr Speaker. What I am saying is that if one looks at the Potable Water Service Fund there is £2,500 estimated expenditure in the year 1984/85 on insurance premia, Appendix B, page 104 of the Estimates of Expenditure 1984/85. If we look there we find £2,500 being charged to the Water Service Fund. That £2,500 like all the other expenditure there forms part of the revenue of the Government under the Head dealing with Reimbursements of the Funded Services, so you have got £2,500 theoretical income paid by Water to Government which goes into the Consolidated Fund but the payment to the outside insurance has not been charged to the Consolidated Fund, it has been charged to the Government Insurance Fund and the Government has not made a contribution to the Government Insurance Fund, so technically you are creating an income in excess of expenditure of £2,500 and that is an inaccurate way of dealing with it.

MR SPEAKER:

With respect, we are not going to go on with this question.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

It has no effect on the Consolidated Fund.

MR SPEAKER:

Next question.

26 3 85

NO. 72 OF 1985

ORAL

THE HON J C PEREZ

Can Government confirm that a recommendation was made that the special tariff for electricity for ex-City Council properties should be discontinued, and if so, what steps has Government taken to give effect to this recommendation and when?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the special tariff for ex-City Council premises was discontinued with effect from 1 June, 1984, ie the date on which the revised electricity tariffs introduced in last year's Finance Ordinance came into effect.

NO. 73 OF 1985

ORAL

THE HON J C PEREZ

Can Government confirm that King's Bastion Generating Station is not included in the essential assets covered by external insurance?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

No, Mr Speaker, the King's Bastion Generating Station is not included in the list of assets covered by the external insurance policy.

SUPPLEMENTARY TO QUESTION NO. 73 OF 1985

HON J C PEREZ:

Does that mean that Government doesn't consider King's Bastion to be an essential asset?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

My understanding is that the original insurance proposal was aimed at covering the minimum number of assets and as Waterport Power Station was included in the policy it was not considered necessary also to insure King's Bastion.

HON J C PEREZ:

Why not? Would it not be the policy of the Government to insure all essential assets and is King's Bastion not considered valuable enough to be insured?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Obviously, I am the mere financial guru or 'giri' in this particular exercise, Mr Speaker, and I cannot speak for the value or the contribution which King's Bastion makes to the generation of electricity, I see the Minister for Municipal Services isn't here but I think that is all I can say.

MR SPEAKER:

Next question.

NO. 74 OF 1985

ORAL

THE HON J L BALDACHINO

Can the Financial and Development Secretary state if his discussions with commercial banks in relation to the Government Home Ownership Scheme, have been concluded?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the discussions I held with the banks were in connection with the possibility of extending to the banks the arrangements applying to building society deposits on which the first £500 of interest is tax free. It has not proved possible to apply a similar scheme to banks.

SUPPLEMENTARY TO QUESTION NO. 74 OF 1985

HON J L BALDACHINO:

Mr Speaker, as I understand it there is only one bank in Gibraltar which gives loan facilities for people who want to buy houses for home ownership occupation. On his discussions with the other banks, have the other banks shown any interest to make available similar loans?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Mr Speaker, I am happy to correct the point which the Hon Member has made when he said that it is only one bank. As a result of the representations which the Government has made to the banks I am glad to say that lending for mortgage finance is something which now at least one if not two of the other banks are now prepared to contemplate, so we don't have a situation in which just one bank is lending for home purchase.

HON J L BALDACHINO:

In his discussions Mr Speaker, did he discuss with the banks the limit of money that banks are prepared to consider for home ownership or has that not been mentioned in his discussion?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The amount which they will lend is obviously determined by the bank's lending policy and that is something over which obviously I don't have any control. Likewise the question of eligibility will be something which the banks have got to determine themselves.

MR SPEAKER:

Next question.

NO. 75 OF 1985

ORAL

THE HON J E PILCHER

Can Government now state what will be the total monthly cost to Gibraltar Shiprepair Limited of the salary and allowances of the expatriate managers in their payroll?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I have nothing to add to what was said in the House on the last occasion when this Question was asked. As the Hon Chief Minister said, the Government would expect the Accounts of GSL to show this sort of information in due course and for the House to discuss such matters when it debates GSL Accounts.

SUPPLEMENTARY TO QUESTION NO. 75 OF 1985

HON J E PILCHER:

Mr Speaker, if I may for clarification because what the Hon Member has said is that he is not going to answer the question until we discuss the Accounts, that is basically what he said.

MR SPEAKER:

That is why I allowed this particular question because it is a follow-up from the last meeting.

HON J E PILCHER:

For clarification because we are a bit confused on this side of the House as regards what questions they don't answer and what questions they do answer, could perhaps the Hon Member explain to me the difference between giving me the total cost of the pay of the expatriate managers and the total cost of the 46 properties which were made available on a fully repairing lease basis which he did answer in this House the last time?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I haven't got the reference in front of me, Mr Speaker, but the reason why I answered the question about the 46 properties which could be leased was because I felt I owed it to the Hon Member as a matter of courtesy on that particular question because he had asked it before and it was, as I might say, a heeltap from the days when I was Chairman of GSL and I used to answer questions about GSL in the House.

HON J E PILCHER:

Mr Speaker, there is no difference between this question and the question which was asked before. What the Hon Member is saying is that he did this as a sort of favour to the Opposition because he was the ex-Chairman of GSL.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, that wasn't quite the point, Mr Speaker. The point is this, that when I answered the question in the last session of the House of Assembly on the 46 properties it was because the Hon Member had asked the same question on an earlier occasion and I had been unable to provide him with the information so I felt I was obliged, as a matter of courtesy, to provide the information to that question which was outstanding from the previous session but the question which he asks about the total cost, the monthly payroll, is a new question which arose after I ceased to be Chairman and after the Chief Minister had made a statement in the House at the end of December about the sort of questions which the Government felt it right to answer.

HON J E PILCHER:

Mr Speaker, I am still confused and what I would like is a clearcut answer from the Government whether they will answer these questions in the House or they won't answer them?

MR SPEAKER:

With respect, I think the Government was kind to the Opposition in giving them some information perhaps that they might have refused and you are now saying; 'If you did it then why don't you do it on every other occasion'. Fair enough, you are entitled to that comment but what the Government is now saying is that for the kind of information you are seeking you have to wait for the Accounts of GSL and that is an explicit answer.

HON J BOSSANO:

Mr Speaker, doesn't the Government accept that a component of the cost structure of the Government's 100% owned Shiprepair Company which can dramatically affect its viability are things like how much it costs to employ expatriates with overseas allowance and free accommodation as opposed to employing locals and it is very relevant if the Government has committed itself to answering questions which impinge on the chances of success of the company, this is a perfectly valid question, what is the reason for the secrecy?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

There is no question of secrecy, Mr Speaker, and indeed I would accept the point which the Hon Member has made. The cost will be an element in the financial out-turn and relevant to the financial accounts of GSL so let us consider the matter when we are discussing GSL affairs on the occasion which we have promised the Opposition a debate.

HON J BOSSANO:

Mr Speaker, when the Hon Member says that we should do it then is he not saying that we are going to be given the information months if not years after the event? We are asking what is currently happening because we believe the Government committed itself to keeping the House up-to-date on an on-going basis not when it is all over. If we find in two year's time that there has been a colossal loss a great part of which is accounted for by the salaries and allowances of expatriate managers what do we do in the House then, what is the point of discussing it then?

MR SPEAKER:

Next question.

NO. 76 OF 1985

ORAL

THE HON J E PILCHER

Is Government now in a position to state what is the annual salary of Mr Brian Abbott as General Manager of the Gibraltar Shiprepair Limited and what allowances will be paid over and above this salary?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

No, Sir. The matter was discussed by the GSL Board in its February meeting and it is understood that the Board decided to seek independent professional advice on international salary levels for comparable posts before reaching a decision.

SUPPLEMENTARY TO QUESTION NO. 76 OF 1985

HON J BOSSANO:

So the matter is being negotiated currently? The General Manager is negotiating with the company on salary levels, is that the position then?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

It was discussed by the GSL Board, Mr Speaker. I don't think the slightly lurid inference which the Hon Member has drawn from my statement necessarily follows.

MR SPEAKER:

Next question.

NO. 77 OF 1985

ORAL

THE HON J E PILCHER

Can Government state whether the rates in respect of 46 properties leased to Gibraltar Shiprepair Limited are paid by Gibraltar Shiprepair Limited or form part of the contribution in lieu of rates, paid globally by the UK Departments?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the rates in respect of the MOD properties leased to Gibraltar Shiprepair Limited are met from the contribution in lieu of rates paid globally by the UK Departments.

NO. 78 OF 1985

ORAL

THE HON J E PILCHER

Can the Government state whether the levels of productivity achieved so far by Gibraltar Shiprepair Limited are within the targets aimed for by the company?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, it is too early for anyone to take a firm view on levels of productivity achieved by Gibraltar Shiprepair Limited. The Company's preliminary assessment is that current productivity levels are higher than those previously achieved in the Naval Dockyard, but there is still some way to go before reaching targets.

26 3 85

NO. 79 OF 1985

ORAL

THE HON J E PILCHER

Will the Government make available to the Opposition a copy of the Management Agreement signed between Gibraltar Shiprepair Limited and A & P Appledore?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the Government is prepared to let Hon Members opposite see a copy of the Agreement at the Secretariat on an undertaking being given that the confidentiality of the Agreement will be observed. I am sure that disclosure of the contents of this document would be commercially damaging to both Gibraltar Shiprepair Limited and A & P Appledore.

NO. 80 OF 1985

ORAL

THE HON J L BALDACHINO

Is the cost of the remedial work to the Tower Blocks going to be amortized on the same basis as the cost of the backlog of heavy maintenance?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

No, Sir. The costs of the heavy maintenance programme incurred during the three years to March 1981 are being amortised over 20 years. In the case of the Tower Blocks which is still a relatively new building, the usual amortisation period of 60 years will be applied.

SUPPLEMENTARY TO QUESTION NO. 80 OF 1985

HON J L BALDACHINO:

Isn't it the practice in UK local authorities to amortize such things as the remedial work on the Tower Blocks on the same basis as heavy maintenance?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think there is nothing rigid about depreciation policy, Mr Speaker, it is a question of judgement of what life is appropriate for various assets in differing and changing circumstances. The point here is that as the Hon Mr Featherstone pointed out in answer to Question No.57 on the backlog of heavy maintenance, this was a property which was already in a fairly rundown state, I think the phrase used was a reasonably rundown state, whereas the Tower Blocks are, relatively speaking, new and hence the difference. We don't follow UK local authority practice rigidly and neither, I think, would the UK local authorities. I am sure they would exercise their judgement, too.

HON J L BALDACHINO:

I understand that, Mr Speaker, but the thinking behind the then Financial Secretary when he announced this in 1981 when he was amortising for a period of 60 years, the thinking behind that was that it was going to be for new buildings and modernised buildings, no such things as the cladding of the Tower Blocks. I understand the reason for the 60 years for new buildings and modernised buildings because it could be the expected life of that building. Mr Speaker, as I understand it the Tower Blocks most probably will be around 20 years old. If we amortize the remedial works on the same basis as the Hon Member has said, in

theory the Government should then be thinking of replacing the Tower Blocks forty years from now when the remedial works will be shown in the accounts on an amortized basis to be there 20 years after the Tower Blocks should have been replaced, is that right?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think, obviously, we are dealing with theoretical situations, Mr Speaker, because depreciation policy is concerned with the theory, you make a judgement and you review your judgement in the light of experience. It may very well be that in the light of experience it may be found that an amortization period of 60 years for a modern highrise block is too long and I do not rule out that possibility in which case we will have to change our depreciation policy.

MR SPEAKER:

Next question.

26 3 85

NO. 81 OF 1985

ORAL

THE HON J BOSSANO

Can Government state how the amount that is contributed to the Government Insurance Fund is determined?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Answered together with Question Nos. 82 and 83 of 1985.

26 3 86

NO. 82 OF 1985

ORAL

THE HON J BOSSANO

Can Government state on what basis was it decided in 1984 that the sum of £800,000 in the Government Insurance Fund provided sufficient increase cover for assets with an estimated value of £180 million?

ANSWER.

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Answered together with Question Nos. 81 and 83 of 1985.

NO. 83 OF 1985

ORAL

THE HON J BOSSANO

Can Government state whether the advice they had from the consultancy on insurance cover was that the system should continue as it had in the past with annual contributions to the Government Insurance Fund?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, about three or four years ago the Government considered the question of insurance cover for Government assets, taking advice from insurance brokers and other specialists in insurance analysis. This advice was not uniform and various opinions were received. The Government also took account of Local Authority practice in the UK, notably the GLC. At the conclusion of these enquiries, it was decided that a comprehensive programme of insurance cover for all Government assets would be neither desirable nor justified having regard to the likely cost of providing comprehensive cover and the fact that the losses sustained by the Government were insignificant in relation to total assets. The Government however decided, first, to continue to self insure by making contributions to an insurance fund, and to increase the contribution from £20,000 per annum to £100,000 per annum, and, secondly, to take out direct cover in respect of a number of assets which were considered vital for the running of the Government's essential services - namely, the Generating Station, the Distillers and the Refuse Destructor. That is still Government policy. The determination of the amount of the annual contribution is largely a matter of judgement. If claims on the Insurance Fund were to increase relative to contributions and erode the value of the Fund, that would establish a prima facie case for increasing the contribution. However, the converse has applied in recent years and this is a factor which weighed with the Government in deciding not to make any contribution to the Insurance Fund during the current Financial Year.

SUPPLEMENTARY TO QUESTION NOS. 81, 82 AND 83
OF 1985

HON J BOSSANO:

Then the Hon Financial and Development Secretary is saying that there is no established ratio of premia to the value of the assets that have to be covered, that no such thing exists, it is purely a matter of judgement?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think it is very largely a matter of judgement, I don't think there is an established ratio, no, Mr Speaker, but as I said, we did take account of the UK Local Authority practice and the GLC.

HON J BOSSANO:

Surely, the Hon Financial and Development Secretary must recognise that there is no other insurer in the world that works on that basis. People who charge insurance premia don't actually put their hand in a hat, Mr Speaker, and pick out any number, do they? There is actually an actuarial system which relates the cover that is provided to the premia that is charged or is that not the case?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The Hon Member said there is no other insurer in the world that operates that way. I think he is comparing the Government with commercial insurance companies, that is their professional business. We are talking about the Government which is like other Government Departments or Local Authorities if you like, who self insure, whose situation is rather different from that of a commercial insurance company and I certainly know from my own experience that a decision to self insure is one which takes the question which distinguishes between the Government's position and that of an insurance company, you are self insuring, you are self insuring your risks, this is essentially a matter of judgement. If the Hon Member is concerned about the relationship between the size of the Fund and the premia and the value ascribed to the Government assets, I can assure him that the relationship between the GLC Fund, the self insurance Fund, and the value of their assets represent a much wider one, the ratio is far higher than is the case in Gibraltar. The GLC, when enquiries were made, they valued their self insurance Fund at about £1m in relation to properties with an assumed value of £10,000m and in Gibraltar we are talking about an Insurance Fund with a balance of £870,000 related to properties which were given a replacement value a few years ago of approximately £180m.

HON J BOSSANO:

Mr Speaker, but if in fact the Government contracted at public expense consultants to advise them on this, isn't the Hon Member saying that they disregarded the advice from the consultants that they contracted because the advice from the consultants was contrary to what the Hon Member is saying because the Government Insurance Fund existed before the consultancy and the GLC existed before the consultancy and we certainly don't need to pay £20,000 to find out how the GLC operates, surely, Mr Speaker?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I didn't at any time say that we had engaged consultants, Mr Speaker, I said we took advice from insurance brokers and specialists in insurance analysis. I would only make the further comment that very often the advice one gets from such people is not prejudiced and at least related to the advice they would like you to take. The advice received from one source was that we should take up comprehensive cover for a variety of risks which we felt was not justified.

HON J BOSSANO:

Mr Speaker, is the Hon Member not aware that we did engage consultants and that in fact the cost was charged to the Government Insurance Fund?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

As is so often the case, Mr Speaker, the Hon Member has the last word.

HON J BOSSANO:

No, Mr Speaker, I haven't had the last word yet. I would like to ask the Government, Mr Speaker, apart from the question of its own Insurance Fund, if in fact the premia paid to external insurers are charged to the Government Insurance Fund then, Mr Speaker, isn't it a misconception to claim that we are self insuring to the tune of £100,000 when in fact the premia is effectively a deductible expense from that £100,000?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I don't quite follow the Hon Member's argument, Mr Speaker, I think I take the point in part but the premia for direct insurance is paid out of the Government Insurance Fund, the Government Insurance Fund covers all the Government's requirements as far as insurance in much the same way that when one votes the contribution to the Fund the outgoings from the Fund, whatever they might be, are charged to the Fund.

HON J BOSSANO:

But, Mr Speaker, isn't it in fact a contradiction to say that we have got two ways of providing cover for Government assets; (1) outside insurance and (2) running an in-house Insurance Fund and then we charge the cost of the outside insurance to the in-house Insurance Fund, surely the Hon Member must understand that there is a contradiction which is the one that I referred to in

an earlier supplementary had been pointed out by Auditors in the past, that if we got an expense payable to an outside insurer that should be shown as an item of expenditure in Government expenditure and not an expenditure of the Insurance Fund which is to cover the assets that are not insured?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think I understand the point the Hon Member is making now and I don't think I would agree at all. We show the contribution to the Fund, the House votes the contributions to the Fund, the outgoings from the Fund are not voted by the House because the Insurance Fund is a Special Fund. If Principal Auditors have raised objections to that, well, of course Principal Auditors are entitled to raise objections but I don't necessarily have to agree and as far as the generality of the arrangements then if what we are doing is contradictory so is what the GLC and others are doing.

MR SPEAKER:

We are now debating, with respect.

HON J BOSSANO:

I am afraid the Hon Member is not following the gist of the question that I am putting to him. Surely, Mr Speaker, if you have got a situation where some assets are insured with an outside insurance and some assets are self-insured and there is a premium charged for the self insured assets, how can the expense of the outside insurance be a charge on the Fund that is a self insurance, it doesn't make sense, Mr Speaker, it is a contradiction in terms.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, the Fund is not a self insurance fund it is the Government Insurance Fund out of which the Government meets any charges, it is a Government decision to self insure the majority of its assets but the contribution which it makes to its Fund has a contingent provision against the possibility that it might have to meet the cost of fire, or whatever it may be, an earthquake, then that along with the actual specific charge for those assets which are directly insured, that is part of the charge on the Fund.

HON J C PEREZ.

Mr Speaker, following the Hon Member's argument, in a year where the Government doesn't make a contribution to the Insurance Fund one would have thought that the sum charged for insurance on direct insurance cover from outside would be transferred first

to the Consolidated Fund and then from the Consolidated Fund paid out direct to the insurance and not from the Government Insurance Fund since there hasn't been any contribution.

MR SPEAKER:

With respect, I must stop this, we are debating. If you need to ask a question to get information you are free to do so but no more. We can debate this at a later stage if you feel you ought to. What are you asking?

HON J C PEREZ:

I am asking, Mr Speaker, that if the Insurance Fund covers both the self insurance and the contribution of direct insurance then there should have been at least a minor contribution for direct insurance to the Insurance Fund if the Government thought that there was enough insurance cover for the self insurance.

MR SPEAKER:

That is exactly what the Hon Leader of the Opposition has been trying to extract from the Financial and Development Secretary for the last quarter of an hour and the Hon Financial and Development Secretary has explained quite clearly that he has got an Insurance Fund and he uses it for whatever purpose he considers necessary insofar as the insurance of Government property is concerned. It is a matter of approach and perhaps the Government and the Opposition disagree but it is a matter of policy. Next question.

NO. 84 OF 1985

ORAL

THE HON J BOSSANO

Is there a time limit beyond which the Government can no longer recover payments of arrears of revenue?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, there is no time limit beyond which Government can no longer receive payments in settlement of arrears of revenue. Generally speaking, there is a time limit after which legal action to recover the debt cannot be taken. Under Section 4 of the Limitation Ordinance an action for an account shall not be brought in respect of any matter which arose more than six years before the commencement of the action, and, where judgement has already been obtained, no action can be brought on that judgement after the expiration of twelve years from the date on which the judgement became enforceable.

This applies to action founded on simple contract or tort. However the law provides differently in cases of fraud, and there are special statutory provisions in the case of Income Tax and for the recovery of any tax or duty under the Imports and Exports Ordinance and the Licensing and Fees Ordinance.

SUPPLEMENTARY TO QUESTION NO. 84 OF 1985

HON J BOSSANO:

So, in fact, the arrears, for example, from the Funded Services would in practice be limited to six years?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

That is correct, Mr Speaker.

HON J BOSSANO:

Does the Government, in fact, write off arrears after six years or do they still keep on showing them as assets?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, I don't like that sort of nastiness in the tail of that question, Mr Speaker, which is unworthy of the Hon Member but the Government does write off and I can say that the Government has had to write off debts which are of over six years duration.

MR SPEAKER:

Next question.

NO. 85 OF 1985

ORAL

THE HON M A FEETHAM

Can Government say what steps have been taken to secure a sensible arrangement with regard to EEC directives that will assist the development of the Finance Centre activities?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, proposals for EEC legislation which might affect Finance Centre activities are monitored by the Government. Representations are made to Her Majesty's Government so that the UK in its consultations with the EEC can give full regard to Gibraltar's interests at an early stage in consideration of any draft Community Legislation.

SUPPLEMENTARY TO QUESTION NO. 85 OF 1985

HON M A FEETHAM:

Can the Hon Member say what steps have been taken to secure a sensible arrangement with regard to the Fourth Directive on company law and a possible Ninth Directive which is in the pipeline with regards to banking laws in Gibraltar?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

There is, of course, the matter of existing directives which still have to be implemented in Gibraltar and directives on insurance company law are obviously amongst those. It has been made clear in response to representations that have been made to UK and to the EEC that special derogations for Gibraltar will be difficult to obtain and notwithstanding this it is the Government's aim that Gibraltar's financial sector should develop profitably and successfully within the framework of Community law which will enable Gibraltar to sell its services freely in the EEC market.

HON M A FEETHAM:

Is the answer then that nothing can be done with regard to derogations on the Fourth Directive, is that what we are being told?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, it doesn't mean that in quite the terms the Hon Member has mentioned, he is talking now about the Fourth Directive. There is amongst the various Members of the Community, amongst the Member States, far from unanimity on the desirability of the

Fourth Directive and a certain hostility towards its monolithic character and I think I can assure the Hon Member that Gibraltar's representations to the UK and, indeed, its concern for the future of the Finance Centre both point very firmly in the direction of Gibraltar sharing that view and, so far as we can, taking advantage of the views of other Member States on the particular subject.

HON M A FEETHAM:

I am trying to get an answer which I can possibly understand, Mr Speaker. Is the Hon Member opposite saying that having made representations to Her Majesty's Government who is responsible for our negotiations with regard to derogations in whatever matter in dealing with the Common Market, in this respect the British Government has already told the Gibraltar Government that it cannot do anything with regard to this Fourth Directive, am I correct in this assumption?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think that is not quite so, there are continuing representations, Mr Speaker, on this and other matters between ourselves and the UK and between the UK and Brussels, between other Member States and Brussels and in some cases there is a difference between the formal position under Community law and the practice in other Member States which is a relevant consideration as well.

HON M A FEETHAM:

When should this Fourth Directive have been implemented should it have been acceptable as far as the Government of Gibraltar is concerned?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I have just described the views of the Government of Gibraltar on the application of the Fourth Directive, Mr Speaker, I don't think I wish to say anything more on that.

MR SPEAKER:

Next question.

NO. 86 OF 1985

ORAL

THE HON R MOR

Is Government aware that there are a number of civil servants of retirement age who are unable to give up their employment because Government has not yet fulfilled the undertaking given in the House in 1979 to treat part-time service for pension purposes as a matter of urgency?

ANSWERTHE HON THE ATTORNEY GENERAL

Mr Speaker, I am painfully aware of the considerable inconvenience suffered by a number of present and former civil servants by reason of my failure to implement the decision taken in this House on the pensionability of part-time service. However, I am hopeful that their and my sufferings are almost over.

I completed the drafting of the Pensions (Amendment) Regulations 1985 on the 7th of March last.

The draft has now been submitted to the Secretary of State in accordance with Section 3 (2) of the Pensions Ordinance. Once the sanction of the Secretary of State has been obtained the draft Regulations will be brought to this House for approval in accordance with the proviso to Section 3(3) of the Pensions Ordinance. The Regulations will have retrospective effect to the 16th August 1977.

NO. 87 OF 1985

ORAL

THE HON J E PILCHER

Does Government intend to submit compensation claims for damages sustained to our waterfront and expenses incurred in cleaning up operations now that the oil leak has been identified?

ANSWERTHE HON MINISTER FOR HEALTH AND HOUSING

Sir, responsibility for the leak has not so far been ascertained. When the entity responsible is known, Government will make the requisite claim and to this end the departments are quantifying the extent of the pollution.

SUPPLEMENTARY TO QUESTION NO. 87 OF 1985

HON J E PILCHER:

Mr Speaker, does quantifying the extent of the pollution include quantifying all the money that the Gibraltar Government has spent in, for example, the fluid that they used for oil dispersant and the actual manpower used in respect of the cleaning up operation?

HON M K FEATHERSTONE:

Yes, Sir.

MR SPEAKER:

Next question.

NO. 88 OF 1985

ORAL

THE HON M A FEETHAM

Can Government confirm that Government contracts currently contain a fair wages clause?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Yes, Sir.

SUPPLEMENTARY TO QUESTION NO. 88 OF 1985

HON M A FEETHAM:

Can the Minister state if it is being complied with?

HON DR R G VALARINO:

Yes, Sir, Government intends to retain this clause in the future therefore it will be complied with.

MR SPEAKER:

No, you are being asked whether Government can say whether the fair wages clause is being complied with, in other words, whether it is being applied.

HON DR R G VALARINO:

Yes, Sir, as far as I am concerned the fair wages clause is in existence and it is the Labour Department which deals with it, I am sure that it is in Government contracts.

HON M A FEETHAM:

Has the Minister or his Department received any representations to the contrary?

HON DR R G VALARINO:

No, Sir.

HON J BOSSANO:

Mr Speaker, isn't it the case that the Minister's Department has been asked since July last year to enforce the fair wages clause in Government contracts and that they have been saying that they have been considering this so how can the Hon Member say he has not received any representations that it is being breached?

HON DR R G VALARINO:

Simply because the word representations means direct figures and wishes of a particular section. What we have had have been amicable discussions but I don't think representations come into it.

HON J BOSSANO:

Is there, in fact, Mr Speaker, a formal request for the enforcement of the fair wages clause pending with the Hon Member's Department since July last year?

HON DR R G VALARINO:

Yes, Sir.

HON J BOSSANO:

And doesn't the Hon Member consider that that is representations, does he think that a formal written request for the enforcement of the fair wages clause is not representations?

HON DR R G VALARINO:

Yes, Sir, there is a representation as far as that is concerned and I do believe that there is a meeting tomorrow between the interested parties, ie the employers and the unions, Sir.

HON J BOSSANO:

Then the Hon Member is saying that the Government is committed to retaining the clause and to ensuring that it is complied with, that is the position?

HON DR R G VALARINO:

That is correct.

MR SPEAKER:

Next question.

NO. 89 OF 1985

ORAL

THE HON J C PEREZ

Is Government now able to state whether the requirement for an import licence in order to buy sand from any Member State of the EEC, is contrary to the requirements of the Treaty of Rome in respect to the free movement of goods between Member countries?

ANSWERTHE HON THE ATTORNEY-GENERAL

No, Sir. This is a difficult matter and the answer is far from clear. I am at present looking into the problem and will let the Hon Member have an answer as soon as I can.

NO. 90 OF 1985

ORAL

THE HON R MOR

Can Government now say what the value of plant and equipment in the Gibraltar and Dockyard Technical College is and whether this is being transferred free of charge?

ANSWER

THE HON THE MINISTER FOR EDUCATION, SPORT
AND POSTAL SERVICES

Mr Speaker, there has been no need to assess the value of plant and equipment at the College as they are being taken over 'as is'. It should be noted, however, that the Government has contributed 50% towards the running expenses of the College since its inception. Half the cost, therefore, of all plant and equipment has already been met from local funds.

SUPPLEMENTARY TO QUESTION NO. 90 OF 1985

HON R MOR:

Mr Speaker; I am given to understand that the equipment contained in the College is in fact a substantial amount. Can the Government state exactly what that amount is?

HON G MASCARENHAS:

Mr Speaker, I think I have answered. There has been no need to assess the value of the equipment, it is being taken over as it is.

MR SPEAKER:

Next question.

NO. 91 OF 1985

ORAL

THE HON J C PEREZ

Can Government state what are the problems in connection with the commencement of direct dialling with Spain and when is it envisaged this will take effect?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, all the arrangements for the implementation of direct dialling with Spain were finalised during the course of the technical talks held in Madrid and Gibraltar on the 28th January and 19th February, 1985, respectively. Direct dialling to Spain is expected to be a reality before the end of the year. The delay is attributed to the lead time required when ordering exchange equipment.

SUPPLEMENTARY TO QUESTION NO. 91 OF 1985

HON J BOSSANO:

Mr Speaker, didn't the Hon Member say in an earlier question last year that he could not determine the charges for international calls until this matter was finalised? Are we being told that he is now in a position to determine it and will in fact that wait until it is actually implemented or not?

HON J B PEREZ:

I think what the Hon Member recalls me saying in the House is that I was negotiating the question of fees with Cable and Wireless. This was another matter but the main delay is due to the negotiations at present being carried out with Cable and Wireless.

HON J BOSSANO:

No, Mr Speaker, I think if the Hon Member checks the record he will find that he said in the House that part of the reason why the study which the Government had on the finances of the Telephone Accounts were being delayed was because the end result of the nature of the agreement on direct dialling with Spain would be one of the factors to be taken into account. I am therefore asking him if he is now saying that this is going to be implemented towards the end of 1985 does that mean that that is when the Government will be in a position to fix the charges and not before that?

HON J B PEREZ:

It doesn't directly arise from the question but I don't mind answering, Mr Speaker. The position is that the question asks on the commencement of direct dialling with Spain, that is, on the technical side, the full matter in connection with charges which I did point out in the House before we were looking at, that has not been completed, in other words, what percentage will the Telephone Department collect from calls being made from Spain to Gibraltar, that has not been concluded but I have taken the question to mean the technical side and that will be before the end of the year.

MR SPEAKER:

What you are being asked, I think, is whether the question of agreement on charges is going to delay the implementation of direct dialling.

HON J B PEREZ:

No.

MR SPEAKER:

Next question.

NO. 92 OF 1985

ORAL

THE HON J C PEREZ

Can Government state what has been the total cost of employing Hawker Siddeley Power Engineering for the running of Waterport Power Station and how many weeks work was the payment to the contractors for?

ANSWERTHE HON THE MINISTER FOR MUNICIPAL SERVICES

Mr Speaker, the total cost of employing Hawker Siddeley Power Engineering Ltd for the running of Waterport Power Station has been £2,062,400. This includes a sum of £353,500, which was included as part of the contract payments. They operated the Station over a period of 95 weeks.

SUPPLEMENTARY TO QUESTION NO. 92 OF 1985

HON J C PEREZ:

Mr Speaker, was that the operational cost only or did that involve maintenance work?

HON J B PEREZ:

As far as I am aware it is for operational work.

HON J C PEREZ:

Was the maintenance work carried out paid over and above the amount mentioned by the Hon Member or was there no maintenance work carried out by Hawker Siddeley?

HON J B PEREZ:

Two issues arise, one is the obligations of HSPE in connection with the contract with the Gibraltar Government. The question he is asking me is on the question of the operational costs over and above, in other words, when they had completed the contract and we were unable to take over the Station.

MR SPEAKER:

Next question.

NO. 93 OF 1985

ORAL

THE HON R MOR

Mr Speaker, can Government explain what is the present position of Spanish nationals in the Campo Area who contributed to the Social Insurance Scheme prior to 1970 as regards their eligibility for social security benefits?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, Spanish nationals in the Campo Area who contributed to the Social Insurance Scheme prior to 1970 will be eligible for social security benefits if they satisfy the necessary contribution conditions.

SUPPLEMENTARY TO QUESTION NO. 93 OF 1985

HON R MOR:

Mr Speaker, has that been the case during the time that the frontier has been closed?

HON DR R G VALARINO:

Spanish nationals in the Campo Area who contributed to the Social Insurance Scheme prior to 1970 and who satisfy the necessary contribution conditions are eligible for social security benefits. A person may receive the current rates if they have been insured or are ordinarily resident in Gibraltar for at least 104 weeks in aggregate since the 2nd July, 1970 but some of these factors have still not been finalised and will need further work from the Department which I will be glad to give to the Hon Member at a later stage either during this meeting or at a subsequent meeting.

HON R MOR:

Mr Speaker, would the Government confirm that Spanish nationals who live outside the Campo Area have been receiving payments from the social insurance?

HON DR R G VALARINO:

As far as I am aware there are two things. There is a way in which certain Spaniards have been receiving payments but when the frontier opened and Spaniards came in and put their names down for social insurance contributions this is still in the melting pot and we are having discussions with our counterparts over.....

MR SPEAKER:

I think what you are being asked is whether Spaniards living in the Campo Area are being treated differently to Spaniards living elsewhere.

HON DR R G VALARINO:

That is really as far as the pensions are concerned, Sir, the three pensions, the Old Age Pension, the Widows' Pension and the Disablement Pension and nothing else but that. The social system which means unemployment, maternity grants and family allowances just do not come into the picture.

HON M A FEETHAM:

Mr Speaker, can I just ask a specific question. Have there been any claims made direct by any Spaniard in the Campo Area requesting a specific benefit which is owed to them and has not been paid to him?

HON DR R G VALARINO:

Sir, there is an office at the Key and Anchor where we put in extra staff but this will have to be looked into.

HON M A FEETHAM:

Have there been any specific cases which have been paid up to now?

HON DR R G VALARINO:

No, Sir, no new cases are being paid at present. The only cases that are being paid are the old cases but there have been no new cases that have been paid so far because it requires close cooperation between the local level, between ourselves and our counterparts on the other side of the frontier and the other thing is it also requires further afield discussions between ourselves and the Government in Spain which is the deciding body. There are people who have put their names down but still no decision has been taken.

HON M A FEETHAM:

I am not asking for answers to a question that I haven't put. What I am asking is have there been cases submitted and if they are eligible under the laws of Gibraltar why haven't they been paid? It has nothing to do with the Spaniards, it is a claim, they are eligible, how many have actually asked and who are being paid or why haven't they been paid?

MR SPEAKER:

I think the answer has been given, I think the answer has been reasonably clear. All old cases which have been considered and decided upon continue to be paid and all new cases which have been submitted are under consideration. Is that correct?

HON DR R G VALARINO:

That is right.

HON R MOR:

Mr Speaker, according to the newspaper 'Area' not so long ago when the frontier opened, the Hon Minister is quoted as saying that they were accepting all claims. Is that correct?

MR SPEAKER:

No, you are talking at cross purposes. It has been said that claims have been submitted, they are being considered but no new claims have been allowed. That is what I understand.

HON J BOSSANO:

If in fact the Hon Member is saying that people who are entitled to a social security benefit on the basis of their contributions have had claims in since 1982 and have not had those claims met, what is the position with regard to the limit of time to which claims can be paid retrospectively?

HON CHIEF MINISTER:

They will be deemed to have been payable from the date in which they put their names down.

HON J BOSSANO:

So that in fact the situation is that although there is nothing in the law to say that a person who has contributed to the system can be refused the payment to which he is entitled, what has been happening is that the Government has not been replying to any claims in the last few years?

HON CHIEF MINISTER:

That is right.

MR SPEAKER:

Next question.

NO. 94 OF 1985

ORAL

THE HON R MOR

Mr Speaker, can Government explain what are the requirements that have to be met by persons over 65 years of age to be eligible for supplementary benefits stating whether nationality or a given level of income can disqualify a person from such payments and give details of the payments involved?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, various factors are taken into account before an award is made, eg current earnings, income, capital assets, family composition, etc. I am circulating the relevant information to Hon Members.

The Supplementary Benefit Scheme applies to Gibraltar and non-Gibraltar British Subjects who have been resident in Gibraltar for at least three years.

SUPPLEMENTARY TO QUESTION NO. 94 OF 1985

HON J BOSSANO:

Mr Speaker, this is, surely, before the Hon Member started paying people who were previously entitled to elderly persons pensions out of supplementary benefits, what is happening since the 1st January?

HON DR R G VALARINO:

That is right, Sir. In fact, if you remember rightly you are talking about the EPP?

HON J BOSSANO:

Which no longer exists, Mr Speaker.

HON DR R G VALARINO:

Which no longer exists because it was moved out from one section to what we call the social assistance and it was moved out from one side to another and in a way it is not subject to EEC legislation. This is the advantage and in the meantime we have made it tax free.

HON J BOSSANO:

Mr Speaker, we are not debating whether the Hon Member made it tax free or made it taxable. We are asking in Question No. 94, what are the requirements to qualify. The Hon Member has given us an answer and according to that answer none of the previous recipients of EPP qualify. If these were the conditions determining eligibility to supplementary benefits prior to the 1st January, these conditions should have been amended on the 1st January to enable the Hon Member to pay the money out otherwise how is he paying it, on what authority?

HON DR R G VALARINO:

As I stated in reply to Question No. 54 of 1985, I am talking about the various factors taken into account before an award is made and at the time I invited the Hon Member, Mr Robert Mor to visit the Department with myself to talk about this and any other matter to his satisfaction and give him full details. I repeat the invitation and I feel that if he takes up this invitation we can go into this at length, we can discuss this at length and both of us will benefit. I am sure that it is much easier to do it in the Department and be able to go over the whole system and not here as the system is rather complicated. The Hon Member has been to the Department various times and I again invite him to come to the Department and we shall go over all the factors.

HON R MOR:

Mr Speaker, I will be delighted to accept the invitation although the Hon Member hasn't yet answered the question and I would have thought that this would be the right forum to ask this question.

HON J BOSSANO:

Mr Speaker, I think whatever long chats the Minister wishes to have with the Hon Mr Mor, that is a totally separate issue. What I would like to know from the Hon Member is how is he paying supplementary benefits currently to people over 65. I don't see what the complication is, can he tell me that?

HON DR R G VALARINO:

There is a table and, in fact, I hope it has been circulated, and this is the way we are paying the supplementary benefits to people over 65. It is a very large table and one would have to go item by item so I feel it is much better for the Hon Member who shadows me to come to my office where we can go over the whole page, we can discuss it and if there is anything that he doesn't like he could then bring it up and it could be thrashed out here but it

is certainly, I feel, rather time consuming to go into this at this present moment in time and to go over every particular item. Again, I repeat my invitation to the Hon Member of the Opposition to come in, he has come in before and we bend over backwards to help him and explain the situation and I will be very glad to see him any time he would like and we can discuss this.

MR SPEAKER:

The answer is you will not give the information now, is that correct?

HON DR R G VALARINO:

It is far too complicated.

HON J BOSSANO:

No, Mr Speaker, it is not far too complicated. Can the Hon Member tell me, am I correct in saying that the information that he has circulated is related to means tested supplementary benefits, yes or no?

HON DR R G VALARINO:

Yes, Sir.

HON J BOSSANO:

Can the Hon Member tell me whether there is also supplementary benefits which is not means tested, yes or no?

HON DR R G VALARINO:

Yes, Sir.

HON J BOSSANO:

Can the Hon Member then tell us how the non-means tested supplementary benefit is paid which he has left completely out of his answer?

HON DR R G VALARINO:

The social security benefits are basically divided into two. There is one which come under and are applicable to Spaniards like the old age pension, the widows' pension, disablement pension, things like this.....

MR SPEAKER:

Let us not complicate the issue. I think you are being asked a simple question. How is the non-means tested benefit paid out?

HON DR R G VALARINO:

I must again reiterate that social security benefits are twofold, some conform to EEC Regulations and others do not conform to EEC Regulations but there are certain Regulations laid down by the EEC where we have a commitment to pay certain pensions and things like this whereas the EEC Regulations do not take into account another chunk of my Department.

HON J BOSSANO:

I am talking about supplementary benefits not social security payments. We are not asking about social security payments, we are talking about supplementary benefits, it has nothing to do with the EEC.

HON DR R G VALARINO:

Supplementary benefits, if I may correct the Hon Member, are not social security benefits, they are what we call social assistance benefits and they do not come under any EEC Regulations.

HON J BOSSANO:

I haven't asked the Hon Member whether they come under any EEC Regulations. I am asking the Hon Member how does he determine who is entitled to it?

HON A J CANEPA:

Is the question in respect of people aged over 65?

HON J BOSSANO:

That is right, Mr Speaker, that is the original question.

HON A J CANEPA:

Who are not means tested?

HON J BOSSANO:

That is right.

MR SPEAKER:

Precisely, those who were EPP before. If the Minister requires notice he can give the answer at a later stage.

HON DR R G VALARINO:

Yes, Sir, I require notice of the question.

HON J BOSSANO:

But, Mr Speaker, we gave notice of the question. Question No. 94 says: "Can Government explain what are the requirements that have to be met by persons over 65 years of age to be eligible for supplementary benefits stating whether nationality or a given level of income can disqualify a person...?" That is the question of which we gave notice and we haven't had an answer. How can he say he needs notice, he has had notice?

MR SPEAKER:

Yes, but he is deferring his answer to a later stage. We cannot delay the matter, I will have to call the next question and leave it at that, I am sorry.

HON J BOSSANO:

Mr Speaker, will the Hon Member then say that he will give us the information.....

HON A J CANEPA:

That is not what the answer says, I saw the answer in draft. My understanding is that in respect of people who were formerly in receipt of elderly persons pension, the conditions applicable for entitlement have been transposed into the supplementary benefits scheme. If my understanding is correct, therefore, the answer ought to be that anybody aged over 65 regardless of nationality who has been resident in Gibraltar for ten years prior to the date of application should be entitled to receive supplementary benefits on reaching the age of 65 at what in the scheme would be known as the non-householders rate which was always equivalent to the rate of elderly persons pension. That is my understanding, that is what I think ought to have been done, I hope that that is what has been done in transposing one from the other.

HON J BOSSANO:

Mr Speaker, if that is the answer which is the answer we were expecting and we have not had, then can the Hon Member say how can he explain a scheme which in his answer is a social assistance scheme, that is, which is a scheme which is not social security as defined by EEC Regulations because it is means tested which in fact is payable in some respects to persons irrespective of nationality, purely on residential grounds, and without an incomes test?

MR SPEAKER:

You are now asking for justification for policy and not for information.

HON J BOSSANO:

I am asking, given the answer that we have had, Mr Speaker, as to how eligibility to supplementary benefits is determined, how can the Minister explain that the development in the supplementary benefits scheme which says that if somebody, for example, is 64 years and 11 months he can only claim supplementary benefits subject to a means test provided he is a Gibraltarian or a British Subject with ten years residence, yet a month older you have got another person whose income may be much higher, who may be of a non-EEC nationality and who then gets an entitlement to a benefit which is purely determined by residential qualifications and not any other criteria, doesn't the Hon Member think that that makes the whole supplementary benefits scheme a very peculiar one.

HON A J CANEPA:

Yes, it is anomalous, it is an anomalous situation, I would agree, but here you have the Government faced with a situation in which we were being advised that the Elderly Persons Pensions Ordinance, we were in danger as a result of that Ordinance of opening the door to applications from outside Gibraltar. The elderly persons pensions were never intended to be payable to people outside Gibraltar, they were intended to be paid to people who had a connection with Gibraltar and hence the residential qualifications and faced, as I say, with that choice, whilst breaching what I would call the logical integrity of the supplementary benefits scheme, it was the only way that we could see our way to preserving not just for existing beneficiaries under the Elderly Persons Pensions Ordinance but also for future beneficiaries the only way of preserving their rights. But I agree, it is anomalous that somebody aged 64 years 11 months to qualify for supplementary benefits has to be means tested, he reaches the age of 65 and then there is no means testing. It is an anomalous situation but I cannot for the life of me for as long as we have a substantial number of people entitled to the elderly persons pension and we do now and we are likely to have for many years to come, I do not see how we can tackle the rather incongruous situation of on the one hand preserving benefits for existing beneficiaries and for future beneficiaries and yet not opening the door to a spate of applications from outside Gibraltar. This is the conundrum in which we find ourselves in the Government and we would rather have a separate provision in the supplementary benefits scheme which is anomalous but which at least enables us to achieve that which we were doing previously.

MR SPEAKER:

We will leave it at that because we are not seeking information

now, we are trying to justify the position and we are trying to see whether it should be justified.

HON J BOSSANO:

I am sorry, Mr Speaker, it is just that we have wasted a lot of time between the time we have had the answer to the original question and we have had answers which really had nothing to do with the original question and, quite frankly, there are supplementaries arising out of those answers which, with due respect, Mr Speaker, we would have put ten minutes ago if we had had the chance.

MR SPEAKER:

Fair enough, if you are seeking information I have no objection but let us not debate. We are debating most certainly now, we are trying to justify policy and the Opposition is asking the Government to justify an anomalous position and that is not for question time.

HON J BOSSANO:

We are trying to establish, Mr Speaker, what is happening today with the payment of supplementary benefits which is different from what was happening three months ago because of the fact that people who were previously getting elderly persons pension and retirement pensions.....

MR SPEAKER:

With respect, you can establish at question time matters related to the manner in which things are done and information and not justification but go ahead, ask another question.

HON J BOSSANO:

I am asking, Mr Speaker, in fact, is there a third set of regulations or criteria or whatever, to enable a different kind of payment to be made to people who were previously getting retirement pensions and will now be a third category of beneficiaries to supplementary benefits?

MR SPEAKER:

You mean people over 65?

HON J BOSSANO:

Also over 65, yes, Mr Speaker.

MR SPEAKER:

On this one if you require notice you require notice, it is as simple as that.

HON A J CANEPA:

I think I ought to apologise to Hon Members opposite for the answer to Question No. 94 because I did see it in draft and it escaped my notice that the answer was really dealing mainly with the general category of people under the scheme and not the specific case of people aged over 65 so I apologise for that. I think the Hon Member is now asking what has happened to people who were in receipt of retirement pensions? Is it that we repealed the Ordinance before the end of the year? Well, if we repealed the Ordinance what I think has happened is that we have also safeguarded their rights in a similar fashion, I think that that is what has happened but I would have to check.

MR SPEAKER:

Next question.

NO. 95 OF 1985

ORAL

THE HON R MOR

Mr Speaker, are persons employed on ships registered in Gibraltar required by law to pay social insurance contributions?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Yes, Sir.

SUPPLEMENTARY TO QUESTION NO. 95 OF 1985

HON R MOR:

Mr Speaker, are persons employed on ships registered in Gibraltar paying social insurance contributions?

HON DR R G VALARINO:

No, Sir, they are not. The matter has been raised before and for practical reasons it is extremely difficult to be able to ensure that these people do pay social insurance contributions and I myself wonder why this section was put into the law in the first place, possibly because this part is in the UK legislation. What I would like to tell the Hon Member is that the whole situation is now being looked into and once we have a definite answer I will tell the Hon Member and I will keep him informed of any developments in this sphere as far as the social insurance contributions of persons working on ships registered in Gibraltar is concerned.

HON R MOR:

Mr Speaker, I think it is hardly an answer to say that you don't agree that that law should be there, I think the fact is that it is there and it is a question of whether you comply with it or you don't. Is the Government saying that they are not complying with one of their own laws?

HON J BOSSANO:

What is the answer?

MR SPEAKER:

The answer is that the law is there, that if they are required to pay contributions that contributions are not actually being paid and that the Government is reviewing the law.

HON A J CANEPA:

In fact, the immediate thing that is going to happen is that there are officials of the Department of Transport arriving this week. I shall be meeting them myself on Friday and we want to find out how the United Kingdom Department of Transport goes about ensuring compliance with their own law. That might throw some light as to our ability to achieve enforcement. If it is going to be impossible in a situation where there is growth in the Gibraltar Registry to ensure enforcement, if we are not going to be able to get people to comply, then there is no point in having these provisions in the Ordinance. If they are there we must make sure that there is compliance and that we have the machinery for enforcement. As I say, I shall be taking advice from the Department of Transport officials later on this week and then the position might be somewhat clearer. The provision in the law is in the Employment Injuries Insurance Ordinance oddly enough but, apparently, whatever is payable under the EII Ordinance automatically requires payment of social insurance contributions as well but the position is that there hasn't been enforcement of this provision of the law.

HON R MOR:

Mr Speaker, non-compliance with this particular law could well be against EEC directives.

MR SPEAKER:

Yes, but we are expanding the orbit of the question.

HON J BOSSANO:

Could I ask then, is it not in fact an obligation on the part of the employer in law to make sure that the contributions are paid and if the employers are companies registered in Gibraltar what is preventing the Government from enforcing the law with the employers?

HON A J CANEPA:

That is probably the case but, as I say, there hasn't been compliance with the law. For some reasons that I cannot fathom no one has chased up employers of ships registered in Gibraltar to ensure that social insurance contributions are payable. I think it is a lamentable state of affairs but there you are, it is the state of affairs and, as I say, either we ensure that it is enforced or we amend the legislation. I have my own views as

to which I prefer but there we are and I think what I prefer is that the owners of ships registered here in Gibraltar should pay social insurance contributions in respect of their crews and that we should follow that up because that is the practice elsewhere and therefore it can be done here as well.

HON J BOSSANO:

Mr Speaker, don't we have an anomalous situation in that through obviously an oversight this section of the law has not been enforced but what is the position of somebody working on a Gibraltar registered ship who technically is working on Gibraltar soil, as it were, and under Gibraltar jurisdiction, and that person is not covered for an accident at work or anything like that?

HON A J CANEPA:

Of course, that is a wrong state of affairs and that is why I am sure the original provision was in the Employment Injuries Insurance Ordinance to cover him at least for injury if not for long term benefit. I think it is essential that ships that are registered in Gibraltar and therefore the crews of those count as people who are working in Gibraltar under the law, I think that there should be compliance.

MR SPEAKER:

Next question.

26 3 85

NO. 96 OF 1985

ORAL

THE HON M A FEETHAM

Can Government confirm that the Regulation of Conditions of Employment Board has recommended to Government that the weekly rate for maximum compensation for unfair dismissal should be increased to twice the weekly minimum wage for shop assistants?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Answered together with Question Nos. 97, 98 and 99 of 1985.

26 3 85

NO. 97 OF 1985

ORAL

THE HON M A FEETHAM

Can Government say when the introduction of minimum wages for Bar and allied Staff was recommended by the Regulation of Conditions of Employment Board and why it has not been implemented?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Answered together with Question Nos. 96, 98 and 99 of 1985.

NO. 98 OF 1985

ORAL

THE HON M A FEETHAM

Can Government say when the increase in minimum annual leave to a level of three weeks for employees with less than three years service and four weeks for employees with more than four years service was recommended by the Regulation of Conditions of Employment Board and why it has not been implemented?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Answered together with Question Nos. 96, 97 and 99 of 1985.

NO. 99 OF 1985

ORAL

THE HON M A FEETHAM

Can Government say when the 5% increase in wages for shop assistants was recommended by the Regulation of Conditions of Employment Board and why it has not been implemented?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, the increases concerned were recommended by the Regulation of Conditions of Employment Board following meetings held on the 24 and 31 October, 1984.

Notices were published in the Gazette on 6 December, 1984, as required by law and allowing 21 days during which written representations could be made. No representations were received. A Council of Ministers Paper covering the four items in question was submitted on 7 2 85 in order to secure Government's approval to the recommendations. Pressure of work both in my department and in the General Division has led to delays in the inclusion of the paper in the agenda for Council of Ministers.

SUPPLEMENTARY TO QUESTION NOS. 96, 97, 98
AND 99 OF 1985

HON M A FEETHAM:

Mr Speaker, can the Minister state whether, in fact, Government intends to accept the recommendations or not?

MR SPEAKER:

It hasn't gone to Council of Ministers.

HON M A FEETHAM:

In view of the delay can Government ensure that a decision will be made next week?

HON DR R G VALARINO:

Mr Speaker, Sir, there are two things I would like to say on this. First, I will ensure that the matter does not repeat itself and that such a delay does not occur again and, secondly, I assure Hon Members that subject to Government approval the paper will go before Council as soon as possible and that these recommendations, if agreed by Council, will be implemented very shortly.

HON M A FEETHAM:

In view of the unnecessary or necessary delay which has deprived employees of their increase and betterment conditions, will the enforcement be made retrospectively?

HON DR R G VALARINO:

Mr Speaker, Sir, I am afraid there is no provision in the law as to that but I will certainly look into the excellent suggestion proposed by the Hon Member.

HON M A FEETHAM:

Can I take one particular point on this and request Government that they should seriously consider in the recommendations that particular aspect of Section 28(m) of the Regulation of Wages and Conditions of Employment Ordinance which sets the limit on double the statutory minimum wage payable to an adult shop assistant and instead of quoting a figure that in fact it should be as I have stated twice that of the adult shop assistant so that it is not necessary to come to the House to continually alter a figure which has become outdated.

MR SPEAKER:

The answer is yes, is that right?

HON DR R G VALARINO:

Yes.

HON J BOSSANO:

Mr Speaker, there is a point, I think, of principle involved in this. How can the Government reconcile the fact that having had a recommendation from the Board as long ago as October, we are in March and the thing still hasn't been given effect to and yet they have previously in the House refused to adopt a motion moved by me because they said that that would be an unwarranted interference in the independence of the Board that determines the wages of shop assistants and then at the end of the day if the Board is only there to advise the Government then the Government, surely, can go ahead and implement things irrespective of the Board which was something they said couldn't be done a year ago.

MR SPEAKER:

No answer to that? Next question.

NO. 100 of 1985

ORAL

THE HON R MOR

When will the ex-St Margaret's School in Town Range be ready to accommodate the pupils of St Mary's First Schools?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Mr Speaker, the work will be put out to tender in mid-April 1985. It is intended that a start on the site should be made at the end of June 1985. The Contract duration is 9 months. The expected completion date is the end of March 1986 and the School could be occupied for the summer term, 1986.

SUPPLEMENTARY TO QUESTION NO. 100 OF 1985

HON R MOR:

Mr Speaker, could I ask the Government why the delay in issuing the tender?

HON MAJOR F J DELLIPIANI:

Mr Speaker, the delay has been due to alterations to original designs due to problems encountered with the structure of the existing building and the high estimated cost and also the delay by the nominated steelwork supplier in supplying detailed information for inclusion in the bill of quantity.

HON R MOR:

Mr Speaker, how many children will eventually be accommodated at this School?

HON MAJOR F J DELLIPIANI:

I am not the Minister for Education any more but the School is intended to replace what has been called the 'Belsen' of our school system which is the primary school at the bottom of Hospital Hill. All the children will be there.

MR SPEAKER:

Next question.

NO. 101 OF 1985

ORAL

THE HON J C PEREZ

Are local contractors able to obtain supplies of building materials from Spain on the strength of their licence to trade as building contractors provided it is for their own use?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Mr Speaker, from a Trade Licensing point of view, the answer is 'yes, Sir'. Under the Trade Licensing Ordinance, 1978, 'trade' means the buying or selling whether by wholesale or retail of any goods by way of business; and also means the importing of any goods into Gibraltar in commercial quantities. As inter alia 'commercial quantities' means any goods that is in fact intended for resale, or to be disposed of, for profit or gain, to a person other than the importer, it is obvious that local building contractors cannot sell, exchange, barter, offer for sale or expose for sale, any building materials which they may import on the strength of their business licences. They may do so, however, if in addition to their business licences as building contractors, they also hold trading licences to deal in building materials.

SUPPLEMENTARY TO QUESTION NO. 101 OF 1985

HON J C PEREZ:

I take it that that is only if they want to sell it but if it is for their own use they are quite entitled to import it?

HON A J CANEPA:

If it is for their own use on the strength of their licences as building contractors they are entitled to import.

MR SPEAKER:

Next question.

NO. 102 OF 1985

ORAL

THE HON J L BALDACHINO

Mr Speaker, can Government state when they expect the completion of Glacis Estate voids to be finalised?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Mr Speaker, the works are due for completion on 14th August, 1985.

SUPPLEMENTARY TO QUESTION NO. 102 OF 1985

HON J L BALDACHINO:

After the completion of the voids, how long will it be before Public Works pass it on to the Housing Department?

HON MAJOR F J DELLIPIANI:

I would hope, Mr Speaker, immediately afterwards.

MR SPEAKER:

Next question.

NO. 103 OF 1985

ORAL

THE HON J E PILCHER

Mr Speaker, how many times has the Government undertaken periodic inspections of the Aerial Ropeway Installation since 1977 and on which dates?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Mr Speaker, inspecting engineers have recently been appointed to carry out periodic inspections. The first inspection of the installation since 1977 was carried out during January and February this year.

SUPPLEMENTARY TO QUESTION NO. 103 OF 1985

HON J E PILCHER:

Mr Speaker, this question follows comments by the Auditor that there should be and, in fact, agreed by the Government, periodic inspections of the Ropeway Installation. I take it the answer is there has been no periodic inspection since 1977. Will this situation continue in the future or will periodic inspections mean periodic inspections?

HON MAJOR F J DELLIPIANI:

Mr Speaker, obviously the inspection that was required under the terms of the lease was that it should be inspected by an outside body and not by Blands Aerial Ropeway Ltd. It was quite obvious that they have been inspecting it themselves. The situation arose because the engineer who was doing this work left Gibraltar and no one was able to replace him. We tried somebody from another Department and we couldn't. In fact, the Principal Auditor raised the question not because he was concerned about the safety of the ropeway but as to who was paying for the inspection and it has taken a lot of people to come with the right answer on the question of indemnifying the inspector who does the inspection and the whole thing has been sorted out and it will not be a question of an annual inspection but periodic inspections throughout the whole year if necessary. The situation will be that what has happened over the past four or five years will not happen again.

MR SPEAKER:

Next question.

NO. 104 OF 1985

ORAL

THE HON M A FEETHAM

Will Government state what the total cost of the Viaduct Causeway is now estimated to be and whether ODA funds will need supplementing from local funds to meet this cost?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Mr Speaker, the total cost is £2,090,000 made up £1,439,000 from ODA funds and a contribution by the PSA of £651,000.

Local funds will not be required.

NO. 105 OF 1985

ORAL

THE HON J E PILCHER

Will Government provide adequate signposting and traffic control systems to cater for the influx of tourists into Gibraltar?

ANSWERTHE HON THE MINISTER FOR TOURISM

Mr Speaker, £3,000 have been provided by the Tourist Office to the Public Works Department for the erection of tourist directional signs.

SUPPLEMENTARY TO QUESTION NO. 105 OF 1985

HON J C PEREZ:

Mr Speaker, can the Hon Minister responsible for traffic inform me whether any new arrangements for traffic control have to be made as a result of the tourist influx?

HON M K FEATHERSTONE:

I don't quite see how this arises from this question but the traffic situation is monitored by a Traffic Committee who meet roughly every fortnight. At the moment no new changes have been made but the situation is being kept under review, as I say, at regular intervals.

HON J E PILCHER:

Mr Speaker, it is not only a question of signposts but things that lead to a better movement of traffic. On the first part I accept the answer given as regards signposting for tourists saying things like 'St Michael's this way' but on the traffic control situation we all know the type of influx of vehicles coming into Gibraltar daily and the inadequate situation that we have at the moment especially in areas like the Glacis Estate area and Queensway where buses and vehicles are unfortunately sometimes parked in the middle of the road deciding which way they are going to go. These are tourists in vehicles who want to come to Gibraltar to see Gibraltar and all they see when they come in is a few roads which are not marked and they don't know where they lead to. The Police are doing a very good job in actually trying to help these individuals but, surely, it must be costing Gibraltar much more to provide police escorts for buses than it is to put a signpost.

MR SPEAKER:

We are making statements. What are you asking?

HON J E PILCHER:

I am asking, following the answer that this is being monitored by a Traffic Committee, whether the Traffic Committee has proposed things like new signposting, pelican crossings and has this been given top priority by the Government?

HON M K FEATHERSTONE:

Yes, more signposting is going to be done. The difficulty is there is only one signwriter at the moment and he works as well as he can but he cannot perform miracles.

HON J E PILCHER:

Mr Speaker, I don't want to insist on the point and we look towards the future and not towards the past but, surely, if we had contingency plans for the opening of the frontier, surely, we must have thought that the moment the frontier opened cars were going to come in and coaches were going to come in and we needed signposting and now we are told we have only one man doing signposts. When are we likely to see the signposts up so that we do have an adequate system of traffic?

HON J C PEREZ:

Mr Speaker, could the Hon Member commit himself to inform the House of any new arrangements that are to be made if there are any and could he let us know at the next meeting of the House?

HON M K FEATHERSTONE:

This is a continuing process. I am sure Hon Members have seen one or two areas where the blue line has been put to allow traffic to move through more easily. Castle Road is one example of it. There is going to be a lay-by with a blue line in Willis's Road so that traffic can move down Willis's Road more comfortably. There is also a scheme near the Queen's Cinema so that traffic will flow more conveniently by reversing the give way signs, this is a continuing process. I cannot be bringing it to the House each and every time. I think you will be hearing later on in answer to another question that further pedestrianisation and traffic flows in Main Street are being got ready for the 1st May.

HON J E PILCHER:

Just one final point, Mr Speaker, I don't want to insist but

the Hon Minister for Tourism said that money had been earmarked, £3,000 for signposting for tourists. Is there any money being allocated to the traffic signposting and things like pelican crossings, new traffic lights, things like that, or has there been no provision as yet made for any money to this area?

HON M K FEATHERSTONE:

Yes, there is provision for general signposting as such.

MR SPEAKER:

Next question.

NO. 106 OF 1985

ORAL

THE HON J E PILCHER

Will Government give consideration to the creation of a Monkey Park taking into account the number of visitors calling at the Upper Rock?

ANSWERTHE HON MINISTER FOR TOURISM

Mr Speaker, as the Hon Member will recall from my answer to Question No. 150 of 1984 the History and Heritage Committee was considering the option of a Monkey Park or a Nature Reserve on the Upper Rock. They have recommended a Nature Reserve and the Tourism Consultative Board have accepted this recommendation. This will now be referred to Government.

26 3 85

NO. 107 OF 1985

ORAL

THE HON J E PILCHER

Can Government state whether they have requested the United Kingdom Government to allocate funds to Tourism and if so, what amount and with what result?

ANSWER

THE HON THE MINISTER FOR TOURISM

Answered together with Question No. 108 of 1985.

NO. 108 OF 1985

ORAL

THE HON J E PILCHER

Can Government state whether the Consultative Committee on Tourism has now submitted their recommendations and whether the Government are now in a position to proceed with them?

ANSWERTHE HON THE MINISTER FOR TOURISM

Mr Speaker, the Tourism Consultative Board met on 12 February 1985, to consider the recommendations submitted by the Standard and Prices Committee, History and Heritage Committee, Amenities Entertainment and Special Interests Committee and the Committee on the Environment. At this meeting the Board agreed a wide range of recommendations which have been submitted to me and which will shortly be presented to Government.

As I indicated in reply to Question No. 32 of 1985, an order of priority has to be established for the recommendations which Government accepts. These will then have to be costed. The Government will then be in a position to determine the extent of local funds which can be committed to these projects and the extent to which it will be necessary to approach the British Government for assistance.

NO. 109 OF 1985

ORAL

THE HON J E PILCHER

Will Government continue to advertise Gibraltar in the United Kingdom given the current occupancy levels in Hotels?

ANSWERTHE HON THE MINISTER FOR TOURISM

Mr Speaker, Government has always considered the UK as its most important market and most of our advertising has been conducted there.

However, for the immediate future UK advertising has been cut back and will now, as far as possible, be limited to support advertising run in conjunction with those Tour Operators featuring Gibraltar in their programmes.

In addition, promotional activity will be conducted in other markets to encourage the flow of tourist traffic during shoulder and out of season periods.

NO. 110 OF 1985

ORAL

THE HON R MOR

Mr Speaker, can Government state how many persons were in receipt of Rent Relief at December, 1984, giving a breakdown of Government and private tenants?

ANSWERTHE HON MINISTER FOR HEALTH & HOUSING

Sir, there was a total of 336 tenants in receipt of Rent Relief as at December 1984. Of these, 305 are Government tenants and 31 are tenants of privately owned accommodation.

NO. 111 OF 1985

ORAL

THE HON R MOR

Mr Speaker, has Government now completed its study of the operation of the Rent Relief Scheme in respect of private dwellings?

ANSWERTHE HON MINISTER FOR HEALTH AND HOUSING

Sir, Government will shortly be considering whether the Rent Relief Scheme should now be further extended to enable persons living in furnished accommodation to be eligible for rent relief and also persons occupying premises under Section 7A of the Landlord and Tenant (Miscellaneous Provisions) Part II.

NO. 112 OF 1985

ORAL

THE HON J L BALDACHINO

Mr Speaker, by how much does Government estimate Gibraltar's housing needs to increase on average each year due to increased demand?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, there are at present about 2000 applicants for re-accommodation and this figure is increasing annually on average by 240. However the crude housing need to solve these applications is approximately 700-750 houses. Eight years ago this figure was assessed at about 400. You might therefore say the increase is at a level of 40-50 houses extra per year.

The recent increase in housing applications is largely owing to persons wishing to register as entitled in connection with the house ownership schemes.

NO. 113 OF 1985

ORAL

THE HON J L BALDACHINO

Mr Speaker, by how much does Government estimate that its housing stock is depleted on average each year as a result of some properties no longer being repairable at reasonable cost?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, the following are the figures for the period 1981/1984 of those tenancies which have been deleted from Government's Rent Roll:-

1981	-	16
1982	-	7
1983	-	81
1984	-	102

Of these, 133 have been disposed of by tender, 60 have either been demolished for subsequent development and the remaining 13 have either been converted to offices, stores or have become unfit for human habitation.

SUPPLEMENTARY TO QUESTION NO. 113 OF 1985

HON J L BALDACHINO:

Mr Speaker, is it the Government's intention to replace these houses that have been depleted through the years by new ones?

HON M K FEATHERSTONE:

As fast as Government can provide the money to build further housing it is the intention to replace housing, yes.

MR SPEAKER:

Next question.

NO. 114 OF 1985

ORAL

THE HON J L BALDACHINO

Mr Speaker, can Government state how many Government dwellings are at present vacant and how many of those are:

- (a) Pre-war dwellings
- (b) Post-war dwellings?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, there are at present 6 post-war and 6 pre-war flats vacant which are all in the process of being rehabilitated prior to allocation.

SUPPLEMENTARY TO QUESTION NO. 114 OF 1985

HON J L BALDACHINO:

Mr Speaker, for how long have these dwellings been vacant?

HON M K FEATHERSTONE:

Normally, the rehabilitation process takes between two months to three months. The difficulty mainly is that most of these properties are of considerable age and they need electrical re-wiring and that is what takes the time.

HON J L BALDACHINO:

How long does the Minister consider that it will take for these twelve buildings to be put back into the Government housing stock?

HON M K FEATHERSTONE:

Not later than three months at the outside.

MR SPEAKER:

Next question.

NO. 115 OF 1985

ORAL

THE HON J L BALDACHINO

Mr Speaker, can Government state if there has been an increase of homeless families since January 1985?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, there are at present 8 homeless families, 4 of which have become homeless during 1985.

All these cases have been investigated by the Family Care Unit and have been recommended by the Housing Advisory Committee for pre-war accommodation on availability.

SUPPLEMENTARY TO QUESTION NO. 115 OF 1985

HON J L BALDACHINO:

Mr Speaker, can the Minister say how this arises, how there are now more people becoming homeless than before?

HON M K FEATHERSTONE:

I am afraid I didn't hear that question, could you repeat it?

HON J L BALDACHINO:

Can the Minister state how is it that there are now more people becoming homeless than was the case before.

HON M K FEATHERSTONE:

I think there are various reasons. One of the perhaps unfortunate reasons is that one hears that if one becomes homeless one gets the opportunity of being re-housed reasonably quickly and therefore certain persons, whether it is true or not, say there is trouble at home and they are thrown out by their in-laws or by their parents and they then become homeless. Whether this is a try-on or not I am not exactly sure or able to say but there have been instances of people who have claimed to be homeless and yet seem to find accommodation at night somewhere.

HON J L BALDACHINO:

That could be the case but there could also be cases that are genuine ones.

HON M K FEATHERSTONE:

Yes, I agree some are genuine.

HON J L BALDACHINO:

What action is the Government taking to alleviate people becoming homeless?

HON M K FEATHERSTONE:

As I have said, as fast as pre-war accommodation becomes available so they are being re-accommodated.

HON J L BALDACHINO:

Mr Speaker, the Minister said on the previous question that he has got six pre-war houses which are also allocated to social cases such as families in a homeless situation. He said that those premises were vacant because they were being rehabilitated. In a previous question in this House he said that pre-war houses could be given to people in social cases where they could carry out the repairs if they needed to be repaired.

MR SPEAKER:

What are you asking?

HON J L BALDACHINO:

I am asking why doesn't he allocate those six pre-war houses to people who are social cases and they will carry out the repairs?

HON M K FEATHERSTONE:

As I have said, many of these houses are very old and they need re-wiring electrically and this is not thought to be one of those items that people should be allowed to carry out for themselves.

MR SPEAKER:

Next question.

NO. 116 OF 1985

ORAL

THE HON J L BALDACHINO

Mr Speaker, can Government state how many families are considered to be squatters by the Housing Department and, if any, how many are squatting in:

- (a) Pre-war dwellings
- (b) Post-war dwellings?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, there are 12 families squatting in pre-war dwellings. This figure includes 4 families in 'La Cueva', Town Range and the homeless family under Referendum House. Legal action is proceeding to have all of them evicted.

SUPPLEMENTARY TO QUESTION NO. 116 OF 1985

HON J L BALDACHINO:

So there are none in post-war dwellings?

HON M K FEATHERSTONE:

No, Sir.

MR SPEAKER:

Next question.

NO. 117 OF 1985

ORAL

THE HON J L BALDACHINO

Mr Speaker, in view that the Government now considers tourism to be the future pillar of our economy and in view that the Minister for Economic Development and Trade agreed in Question No. 76 of 1984 that White Rock Camp buildings are an eyesore to tourism, has Government now got a policy for the reallocation of White Rock Camp tenants?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, there are at present nine tenants living at White Rock Camp who have to be decanted before the area can be redeveloped touristically.

As already stated in reply to Question No. 76 of 1984, Government has yet no definite plans for developing White Rock Camp and the whole question would have to be considered in the light of housing requirements for the inhabitants of Catalan Bay.

My colleague the Minister for Economic Development and Trade has recently held a meeting with the Chairman of the Village Council and proposals for a new build which could include an element of home ownership were discussed. These proposals were, I understand, to be the subject of further consideration with the Village Council.

SUPPLEMENTARY TO QUESTION NO. 117 OF 1985

HON J E PILCHER:

Mr Speaker, since we are tackling the eyesores as far as tourism is concerned, did the Government not have a policy as regards eyesores and was it not the policy of the Government to gradually take legal action against people who were, in fact, creating eyesores especially in areas like Devil's Tower Road?

MR SPEAKER:

No, we are not going to increase the scope of this question of eyesores all over Gibraltar otherwise we will never end. Next question.

NO. 118 OF 1985

ORAL

THE HON J E PILCHER

Is it Government's intention to proceed with the pedestrianisation of Main Street?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Yes Sir, Government has already decided that the next stage of pedestrianisation will comprise the length of Main Street from its junction with City Mill Lane to Library Street.

SUPPLEMENTARY TO QUESTION NO. 118 OF 1985

HON J E PILCHER:

Is the pedestrianisation going to be done on the basis as proposed to the ODA with a very high cost or is it just going to be closed to traffic and that is what we term pedestrianisation?

HON MAJOR F J DELLIPIANI:

Mr Speaker, what we intend to do is that we have extended the Main Street section from the Emporium to Library Street on a six months trial basis and most of the offshoots, the alleys and the lanes coming from this extra section. It is not intended to go ahead with the actual re-pavement of the area because we are going to allow parking after nine o'clock at night because I think it is a bit unfair on the public of Gibraltar if we start taking away all the parking facilities that they have when we are not in a position to reprovide suitable parking spaces in other areas. I think it would be a bit draconian to pedestrianise half of Gibraltar and not offer the people of Gibraltar alternative parking facilities.

HON J E PILCHER:

Mr Speaker, the Hon Member opposite has said it is going to be on a six months period but what he hasn't said is when Government propose to actually start.

HON MAJOR F J DELLIPIANI:

The 1st of May.

HON J E PILCHER:

And I take it, Mr Speaker, that already all the people concerned have been approached. We were talking at one stage of

pedestrianisation and I think there were times that we had to reprovision taxi areas, taxi offices, the reprovisioning of certain things. Has this already been done?

HON MAJOR F J DELLIPIANI:

Taxis will not be affected.

MR SPEAKER:

Could I ask a question of my own. Is Government considering on pedestrianisation making the strip of Main Street travelling from north to south, the strip Engineer Lane and Casemates, a one-way street?

HON MAJOR F J DELLIPIANI:

Sir, there is an area of Main Street from Casemates to where Parliament Lane is, and thinking now on this part of pedestrianisation will be that only cars travelling down Engineer Lane northwards will be allowed and that area will also be free of cars parking, etc, because at the moment we are finding that people who don't know our system who are going right up and then they find themselves in Parliament Lane and they have got to turn round into Parliament Lane.

THE HON MISS M I MONTEGRIFFO

Mr Speaker, can Government confirm that it is their policy to put into general wards private patients when there is no room in the private wards?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Yes Sir, so long as this does not deprive any patient who is in need of a bed in the General Wards, and with the agreement of the private patient.

SUPPLEMENTARY TO QUESTION NO. 119 OF 1985

HON MISS M I MONTEGRIFFO:

Mr Speaker, does the Minister not agree that the situation could easily develop when the public patients could start to demand the same privileges as a private patient and they will both be together in the same ward and that this could in turn put pressure on the nursing and medical staff to cope with a totally new situation in the general wards.

HON M K FEATHERSTONE:

No, I do not agree, Sir. The person who is put into the general ward will get the same treatment as any other person in the general ward.

HON MISS M I MONTEGRIFFO:

Mr Speaker, what additional privileges would private patients enjoy in the general ward?

HON M K FEATHERSTONE:

None whatsoever.

HON J C PEREZ:

Mr Speaker, can the Minister explain what incentive is there to go private in those circumstances?

HON M K FEATHERSTONE:

If you are a person in the Costa del Sol and you feel that you need an operation urgently and there is no other method of having it other than going into the general ward then it is up to you to make your decision.

HON J E PILCHER:

Surely, Mr Speaker, a private patient has the right to have visitors all day or at least a more comprehensive system of visitors than a patient in the general ward.

HON M K FEATHERSTONE:

They would not be allowed to, if they go in the general ward they will have to follow the discipline of the general ward.

HON J BOSSANO:

Mr Speaker, the Hon Member said in the answer to the original question that this would only happen if the bed was not required for a local patient presumably under the Health Service. Am I correct in saying that that is the answer he gave?

HON M K FEATHERSTONE:

Yes.

HON J BOSSANO:

How would he cope with a situation where the local patient appears after the bed is occupied, what does he do, turf out the private patient?

HON M K FEATHERSTONE:

We always keep one or two beds vacant for emergencies.

MR SPEAKER:

Next question.

NO. 120 OF 1985

ORAL

THE HON MISS M I MONTEGRIFFO

Can Government confirm whether they have in fact studied in the Council of Ministers the report on getting Gibraltar nursing qualifications recognised in UK and if so with what results?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

No Sir, the report has not yet been considered by Council of Ministers. One of the main requirements in order to bring training to a standard acceptable to the General Nursing Council thereby meeting EEC Directives on Nursing is to provide tuition at a recognised level. Management is considering how to fulfil the EEC requirements.

SUPPLEMENTARY TO QUESTION NO. 120 OF 1985

HON MISS M I MONTEGRIFFO:

Mr Speaker, can the Minister explain why it has taken them five years to resolve this matter since in 1979 the Government said that they would be looking at it as a matter of urgency?

HON M K FEATHERSTONE:

I think the position was that a certain person on the nursing staff was sent to qualify to come up to the recognised level but this person after a certain period of time gave up that tuition and did not get himself to the recognised level required.

HON MISS M I MONTEGRIFFO:

Mr Speaker, the Minister is saying that because someone abandoned the course in UK it has taken the Government five years to finalise the matter, is that the position?

HON M K FEATHERSTONE:

Would you repeat that please?

HON MISS M I MONTEGRIFFO:

The Minister has actually said that because somebody abandoned the course in the UK, they didn't complete the course in UK to bring up the tutorial standard up to UK level, this is the reason why it has taken them five years to solve the matter?

HON M K FEATHERSTONE:

No, that is part of the reason. The Tutor of the nurses is not at the recognised level, was taking the course to get to the recognised level, abandoned the course and reverted to the slightly lower level which is not acceptable to the EEC.

HON J L BALDACHINO:

Mr Speaker, I understand that the Tutor abandoned the course in UK. Wasn't there another suitable person in the nursing profession who could have taken that job and it wouldn't have taken five years?

HON M K FEATHERSTONE:

Not necessarily so, no, Sir.

HON J BOSSANO:

Mr Speaker, didn't the Government introduce a number of changes as a result of the requirements that were identified, apart from the question of the Tutor, wasn't the contents of the course changed, the syllabus of the examinations, the recording system and everything else, didn't in fact the Government inform the House during different points of that study following the visit of Mrs B riggs that all these things were being introduced?

HON M K FEATHERSTONE:

Yes, Sir, the resources of our hospital were found to fall short in a number of areas, not all these areas have yet been caught up but some of them have been already.

MR SPEAKER:

Next question.

NO. 121 OF 1985

ORAL

THE HON MISS M I MONTEGRIFFO

Mr Speaker, can Government confirm whether there is an increase in the number of visitors using our medical services and if so, what additional resources they intend to provide?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, there has been no significant increase in the number of visitors using our medical services.

SUPPLEMENTARY TO QUESTION NO. 121 OF 1985

HON MISS M I MONTEGRIFFO:

Mr Speaker, the information that we have is that the numbers that are arriving are putting a strain on the medical and the nursing staff.

HON M K FEATHERSTONE:

The information I have is to the contrary.

HON J BOSSANO:

Mr Speaker, can the Hon Member say when this innovation of putting the overflow of patients into general wards was first introduced?

MR SPEAKER:

That is going back to the last question.

HON J BOSSANO:

I know, Mr Speaker, but if the Hon Member has just answered that there are people in the Costa del Sol who may want sufficiently badly to have an operation to go into a general ward and pay as a private patient.....

MR SPEAKER:

Mr Bossano, with respect, the Minister has not said that, he hasn't said that there has been an influx or that this is happening.

HON J BOSSANO:

But if the Hon Member, Mr Speaker, is saying that he has no

indication or evidence that there is an increase in the number of patients then why is he making provision for the overflow of which he has no evidence to be put into the general wards?

MR SPEAKER:

But he has not made provision.

HON J BOSSANO:

But the Minister said that it is their policy, Mr Speaker, and the question arises out of the fact that such a policy has been introduced on the 27th February, 1985, or is this not the case?

HON M K FEATHERSTONE:

Yes, Sir, I don't think there has been any actual person put into the public wards yet because the private wards are still capable of coping with the actual requirements but it is there should the need arise.

HON MISS M I MONTEGRIFFO:

But, Mr Speaker, the Minister said in the last House of Assembly that he would monitor the situation as far as visitors were concerned to the hospital. Does he have a figure of the actual number who are visiting, for example, St Bernard's?

MR SPEAKER:

Perhaps it is due to the fact that there has not been any influx. Next question.

NO. 122 OF 1985

ORAL

THE HON MISS M I MONTEGRIFFO

What steps has Government taken to expand the domiciliary nursing service for geriatric patients?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, the domiciliary nursing service is not restricted to geriatric patients. This service is constantly under review and will be expanded as resources permit.

SUPPLEMENTARY TO QUESTION NO. 122 OF 1985

HON MISS M I MONTEGRIFFO:

Mr Speaker, is the Government creating additional posts for this purpose or are people just going to be re-deployed?

HON M K FEATHERSTONE:

At the moment we cannot expand the service because we don't have the finances so to do.

MR SPEAKER:

Next question.

NO. 123 OF 1985

ORAL

THE HON J C PEREZ

Mr Speaker, can Government explain why the Minister for Public Works stated in March, 1984, that the MOT Vehicle Testing Centre would be fully operational as soon as the necessary staff was recruited if the necessary legislation was not ready then and is still not ready a year later?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, in answer to Question Nos. 70 and 152 of 1984 I informed the House that the Motor Vehicle Testing Centre would be fully operational as soon as the necessary legislation is promulgated and the staff recruited and trained.

SUPPLEMENTARY TO QUESTION NO. 123 OF 1985

HON J C PEREZ:

Mr Speaker, I am aware of the replies that he gave but in March last year the Hon Member said that the only thing holding it up was the negotiations with the relevant unions and that once that had been settled the post would be advertised and there would be no other delay. Since the excuse of the promulgation of legislation came after that, I am asking the Minister why he mislead the House in March last year?

HON M K FEATHERSTONE:

Well, if I did say that then I apologise. I cannot remember having said that, I am sure that I couldn't have said it because the two things are contingent with each other, it is necessary to have the legislation and to have the staff. I was hoping, of course, that we would have had the legislation by now.

HON J C PEREZ:

Mr Speaker, for the benefit of the Hon Member it was in answer to Question No. 22 of 1984 last March when he said that.

MR SPEAKER:

Would you then perhaps quote what he said.

HON J C PEREZ:

Yes. "The delay in getting the staffing was a certain amount of considerably difficult negotiations with the relevant union but I understand this has now been finalised. The Government will shortly be advertising for the extra posts that are needed to cover this and it is hoped that the Vehicle Testing Centre will come into operation at the beginning of April" - that was in March last year. Could the Hon Member give a definite date when the necessary legislation is going to be ready?

HON M K FEATHERSTONE:

That is not in my hands to say, the promulgation of the legislation is in the hands of the Attorney-General's Department. I know it is being dealt with with the utmost despatch but I cannot give an exact date.

HON ATTORNEY-GENERAL:

The legislation was sent to London for the draughtsman to start on, I think it was the beginning of March this year. I was hoping I could do it myself, I found I couldn't do it myself so I sent it to a draughtsman in London, I think it was at the beginning of March.

HON J C PEREZ:

Mr Speaker, perhaps it is not directly relevant to this question but could we get an answer from Government as to what they are doing in staffing the Attorney-General's office in that we have a situation here where we have a project funded by ODA which has been ready for over a year and cannot get off the ground and cannot get started because the necessary legislation is not ready?

HON ATTORNEY-GENERAL:

As I think Hon Members are aware we have had enormous trouble trying to find a law draughtsman. We have interviewed two candidates for the post of law draughtsman, an offer has been made to one of those candidates and we haven't yet had an acceptance. It is an enormous problem trying to recruit a law draughtsman and it is an enormous problem trying to draft legislation and run an office. A law draughtsman should be away from an office, away from telephones to be able to draft in his own good time and this is the problem about the delays in legislation.

MR SPEAKER:

Next question.

26 3 85

NO. 124 OF 1985

ORAL

THE HON J L BALDACHINO

Mr Speaker, how many of the extra 700 flats estimated by Government to be needed to solve the housing problem does Government plan to commence construction of in 1985/86?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Answered together with Question No. 125 of 1985.

NO. 125 OF 1985

ORAL

THE HON J L BALDACHINO

Does Government have a target of the number of new flats they plan to start building in the three remaining years of the current term of office?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the Government has already stated its commitment to build more houses to alleviate the housing situation, but exactly how many flats can be built over the next 3 years will depend to a large extent on the response to the selective sale of flats to some 250 tenants which the Government has launched recently.

The total potential sale value of these selected Estates is about £3 million which together with the sale of Shorthorn Estate, which has already raised £¼m, will go some way towards financing the construction of further houses for rental.

Although the Vineyards (Old Gasworks) is to be developed as a private housing complex it is also expected to alleviate the housing situation by providing for over 200 units for sale to entitled persons.

SUPPLEMENTARY TO QUESTION NOS. 124 AND 125
OF 1985

HON J L BALDACHINO:

Mr Speaker, the building of new houses will depend on how the sale of houses to sitting tenants go, is that the case?

HON A J CANEPA:

Very much so, Mr Speaker. The funds which the Government at the moment could make available to housing are very minimal indeed.

HON J BOSSANO:

What is the sequence of events, Mr Speaker, because if in fact the situation is that, for example, I think the Hon Member indicated that there were legal complications in the sale which had led to the payment for Shorthorn perhaps not reaching the Government in the current financial year, I think this was given in an answer to a question in the last House, then how does the Government go about planning or putting out to tender? Presumably, they will have to pay contractors and they could

find themselves in a situation where they themselves have not yet received payment so how do they propose to do it?

HON A J CANEPA:

The legal complications surrounding the sale of Shorthorn had to do with the fact that lawyers were to-ing and fro-ing in proposing amendments on behalf of the tenants.

HON CHIEF MINISTER:

Not me.

HON A J CANEPA:

No. The lawyers representing the prospective purchasers spent years to-ing and fro-ing in trying to achieve the best possible deal for their clients and trying to get satisfactory arrangements entered into the lease. That was necessary also in order that the banks would be prepared to earmark the funds for these mortgages. I think we have overcome those problems. I cannot envisage, with the standard leases, that the Crown Lands office will be providing for prospective purchasers having regard to the conditions which have been made clear to Government tenants, I don't foresee that we shall have these same difficulties. We should be able to make progress on the sale of these flats provided that there are sufficient takers, provided that there are over 50% in the estates involved. So it should be possible to mobilise funds at a much earlier date. But notwithstanding that, if the financial situation of the Government were to improve dramatically over the next twelve months, I think that the Government could then see its way towards drawing on other funds notably say, hopefully, from the Consolidated Fund, to start housing schemes in the knowledge that it will be possible to replenish those funds by the sale of these other estates. That is how, thinking aloud, I would hope that we can approach the matter.

HON J L BALDACHINO:

Mr Speaker, just one final question. If the sale to sitting tenants does not materialise then the Government will not be able to build new houses for renting, is that correct?

HON A J CANEPA:

The Government will not be able to earmark those funds for the building of houses, it will have to put its thinking cap on to see what do we do in that situation. I should also inform Hon Members that we do propose in the next development aid submission to make a bid for housing. We do not accept, just like that, the

stand that ODA are taking. We think that we have got very sound, social and political arguments that we can advance in support of a submission for assistance on housing. If the Government of Gibraltar is not able to provide housing for its people the danger is that they will leave Gibraltar and take up accommodation elsewhere and that has got grave, social, economic and political implications for Gibraltar.

MR SPEAKER:

Next question.

26 3 85

NO. 126 OF 1985

ORAL

THE HON J L BALDACHINO

Mr Speaker, is it a condition of sale of Government flats to sitting tenants such as the Shorthorn Estate, that they should take out insurance cover for the properties as is required for pre-war properties sold for modernisation by owner-occupiers?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Yes, Sir. This is a condition in all Crown leases.

NO. 127 OF 1985

ORAL

THE HON J L BALDACHINO

Mr Speaker, is it still Government's intention to develop Engineer House site for the construction of houses?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the Engineer House site is at present used as a car park and will continue to be so used in the immediate future. If funds become available for housing as a result of the home ownership scheme or from any other sources, perhaps, I should add, which I explained earlier in reply to a former question, it will be necessary to review its future use bearing in mind that it is at present earmarked for public housing.

SUPPLEMENTARY TO QUESTION NO. 127 OF 1985

HON J L BALDACHINO:

Mr Speaker, if everything that the Hon Member has said materialises will it be for renting purposes or on the same basis as the one in the Vineyard site?

HON A J CANEPA:

At the moment it is earmarked for public housing, in other words, for the type of accommodation which the Government builds to rent to tenants on the waiting list, that is the present position.

HON J L BALDACHINO:

Mr Speaker, I understand there is also the possibility that if the Government does not have the funds for the construction of houses in the Engineer House site it could be used for something else, is that correct?

HON A J CANEPA:

I think we would have to weigh up a number of considerations there, Mr Speaker. There is the environmental point to be borne in mind that it is in the centre of town in what is already a fairly heavily built-up area. There is the question of the actual cost of new housing on that site to be weighed up against alternatives. There are other sites, fortunately, still available on which houses could still be built for general allocation. The outgoing Chief Planning Officer, the outgoing

Director of Public Works, has also come up with an idea which has got certain problems from an environmental point of view but from an economic point of view makes sense. For instance, is it possible to build another floor on some of the blocks at Laguna Estate? It might be possible to do that at a relatively cheap cost but what are the implications in respect of other matters. For instance, what are the implications in respect of schooling, what are the implications in respect of over-congestion, parking. These are things that have got to be weighed up and I think we shall have to come to grips with that over the next twelve to eighteen months.

HON J L BALDACHINO:

Mr Speaker, if the site is used for something else apart from housing.....

MR SPEAKER:

With respect, I think you have had an answer and we must not debate. Next question.

NO. 128 OF 1985

ORAL

THE HON J L BALDACHINO

Mr Speaker, can Government state what categories of persons will be eligible to purchase dwellings in the Gasworks development project?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the categories of persons eligible to purchase dwellings in the Vineyards development project will be either persons who are on the Housing Waiting List or are eligible to apply for Government housing.

SUPPLEMENTARY TO QUESTION NO. 128 OF 1985

HON J L BALDACHINO:

Mr Speaker, isn't this against EEC Regulation 1612/68?

HON A J CANEPA:

I require separate notice of that question, Mr Speaker.

MR SPEAKER:

Next question.

NO. 129 OF 1985

ORAL

THE HON M A FEETHAM

Can Government state whether it anticipates that commencement on the Gasworks site will start in 1985?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Yes Sir. The Government has already selected two out of the three schemes submitted in the first stage of the selective tendering procedure. The two parties will now be asked to tender for the site on the following principal conditions, with a closing date of 17th April:

- (i) that they specify their selling prices;
- (ii) that if they adhere to these selling prices they will be entitled to a refund of 75% of the tender sum;
- (iii) that if the selling prices are increased for whatever reason they will forgo the refund and in addition pay a penalty equivalent to 50% of the increase in selling price.

It is hoped in this way that the scheme will be instrumental in keeping prices within the reach of the average Gibraltarian family.

NO. 130 OF 1985

ORAL

THE HON M A FEETHAM

Can Government state whether it anticipates that commencement on the Rosia Bay site will start in 1985?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the Government has recently selected the two parties who submitted proposals for the development of the site. They will now be invited to tender for the site and upon selection, the successful tenderer will be permitted to enter the site for the purpose of carrying out the development as soon as the land is transferred to the Gibraltar Government.

We anticipate that work will commence in 1985 although perhaps towards the latter half of the year.

SUPPLEMENTARY TO QUESTION NO. 130 OF 1985

HON M A FEETHAM:

Could the Minister give further details as to who are the selected parties and what sort of conditions we are talking about?

HON A J CANEPA:

I can give details about the selected parties. One is Marples International Ltd which is a company from outside Gibraltar. The other one is a Gibraltar company, Gibraltar Land Development is the second company.

MR SPEAKER:

Next question.

NO. 131 OF 1985

ORAL

THE HON M A FEETHAM

Can Government say whether work on the multi-storey car park will commence this year?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the developer is presently pursuing the question of finding alternative accommodation for the Gibraltar Shiprepair Limited employees presently housed at Casemates. If he is successful work could well commence this year.

SUPPLEMENTARY TO QUESTION NO. 131 OF 1985

HON M A FEETHAM:

In view of the numerous questions which have been put over a period of time regarding this particular project and the answers that we have been getting which has as yet not resulted in the commencement of this project, is the Minister sure that the real answer for the non-commencement of this project has got nothing to do with the question that he has answered to me in the past?

HON A J CANEPA:

This project has not got off the ground because there have been serious problems encountered in re-providing the MOD quarters which at the time that the project was launched were not surplus to defence requirements and which later on, some year or so ago, were allocated by the Ministry of Defence to employees of Gibraltar Shiprepair Limited. I think that that is the main reason for the serious delays that there have been in commencement on the project. I have had a number of meetings with the developer and I have been impressed by the extent to which he considers that his reputation is at stake on this project. I have no doubt about their desire to get on with it.

HON M A FEETHAM:

As far as the Minister is concerned the assurance he is giving to this House is, in fact, that the developer provided he can find the necessary accommodation to replace the existing tenants of the Casemates area, that commencement will start and that it is not a question that the developer is finding it difficult financially at all, he is giving an assurance of this?

HON A J CANEPA:

I think the Government is satisfied that the financial resources are there. The only reason why the project might not be completed as envisaged could be technical geological reasons found once a commencement is made, once holes are bored, foundations are laid and problems could be encountered of a technical nature, I am just covering myself, that could pose difficulties but as far as the financial resources are concerned I think these are available and have been for some time and there are these other practical difficulties which, in a way, are embarrassing the developer concerned because he considers that he has got a reputation, a good track record, he considers that one of the main reasons why he was a successful tenderer was precisely his track record and they are very concerned that their reputation is at stake but I repeat, the money is there, the main bugbear all along has been this problem of re-provisioning.

MR SPEAKER:

Next question.

NO. 132 OF 1985

ORAL

THE HON J C PEREZ

Mr Speaker, can Government confirm that their decision to disallow an application by the Gibraltar Quarry Company to trade in cement was arrived at as a result of representations by the Chamber of Commerce?

ANSWERTHE HON THE CHIEF MINISTER

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 132 OF 1985

HON J C PEREZ:

Mr Speaker, does the Hon and Learned Member recall that in his annual speech to the Annual General Meeting the President of the Chamber of Commerce referred to this issue and said that your decision was a result of representations by him?

HON CHIEF MINISTER:

I am not here to answer what other people say.

HON J C PEREZ:

Then are you saying that that is not the case?

HON CHIEF MINISTER:

No, it is not the case and perhaps if I explain it it may well be understood and perhaps nobody may strictly be lying. As I explained on the 30th October, 1984, in answer to Question No. 145, the company, not the Government, published a notice stating that it was applying for a licence and when the Government saw this application it drew the attention of the company to it. As I said then and I say now, there was no question of disallowing the application, the Government stopped the company from applying. Insofar as dates are concerned, the notice appeared in the press on the 4th October. Council of Ministers took a decision on the 10th October. Panorama's Chamber of Commerce column, where you know whether the President goes to the loo or not, was published on the 15th October which said: "The Chamber is very seriously disturbed by some of the recent moves made by the Government-owned Gibraltar Quarry Company" - that was on the 15th and the decision was taken on the 10th, and following the decision of the 10th by the time the decision was minuted

and this comment had been published, the Minister for Health and Housing informed the Chamber of the Council's decision taken on the 10th October.

HON J C PEREZ:

Then one can say that there were no official representations by the Chamber of Commerce to the Government?

HON CHIEF MINISTER:

No, none at all.

HON J BOSSANO:

Mr Speaker, I would like to know if the Government has not done this under pressure from the Chamber of Commerce, as they say they haven't, are they still of the view that the Gibraltar Quarry Company should not trade in cement, is that still Government policy?

HON CHIEF MINISTER:

Council of Ministers took a decision on the 10th October and the matter has not been reviewed at all.

HON J BOSSANO:

Would the Hon and Learned Chief Minister not agree that in the light of the answer given previously to another question that building contractors are now able to obtain supplies from Spain direct from people selling, for example, cement in Spain, that there is little sense in the Government-owned company not being able to trade in this product?

HON CHIEF MINISTER:

Consideration was not available on the 10th October.

HON J BOSSANO:

I am aware of that but I am asking the Hon and Learned Member whether he does not think that in the light of the answer that has been given today the matter should be reviewed?

HON CHIEF MINISTER:

I will look at it carefully.

MR SPEAKER:

Next question.

NO. 133 OF 1985

ORAL

THE HON J BOSSANO

How many certificates of permanent residence have been granted each year since 1st January, 1973, and to which nationalities?

ANSWERTHE HON THE CHIEF MINISTER

The information required by the Hon Member is contained in the list which I am circulating.

SUPPLEMENTARY TO QUESTION NO. 133 OF 1985

HON J BOSSANO:

Mr Speaker, can I ask if, in fact, since the bulk of this appears to be the result of marriage, and I assume this works 'for either spouse', is this an automatic thing or are there circumstances where the spouse is denied or can be denied a certificate of permanent residence?

HON CHIEF MINISTER:

No, the spouse cannot be denied a certificate of permanent residence but the difficulty is for a non-British spouse to obtain nationality to become a permanent resident, that is the thing, and that is that whereas before on marriage a wife obtained British nationality on registration which was done locally and reasonably quickly, now, say, for example, a Gibraltar woman marries a Portuguese subject, the Portuguese subject must have been here for five years in Gibraltar, three years married and then makes an application and it takes a long time to shift it through. It is when the application is available that he gets his certificate of permanent residence. In that respect it is more difficult now for a spouse than it was before.

HON J BOSSANO:

I think the Hon and Learned Member made a reference to nationality. How does the new Nationality Bill limit the right of residence since under EEC Regulations a non-EEC spouse of an EEC national is entitled to the same residential rights as the EEC national is?

HON CHIEF MINISTER:

I made a slight slip in my previous statement. You can be registered as a permanent resident even though you do not acquire your spouse's nationality but then you require five years residence.

HON J BOSSANO:

So the five years residence is for the purpose of converting permanent residence into nationality but permanent residence can be obtained, in fact, on marriage?

HON CHIEF MINISTER:

No, three years residence after marriage for permanent residence. There are two areas involved, I have been involved in quite a number of cases and I am a bit mixed up. There are two areas involved. First of all, I don't think you can get a certificate of permanent residence unless you are a British Subject but you need it if you are not from here you require permanent residence under the Immigration Control, I think it is Section 15 I don't know whether it has been altered, of the Immigration Control Ordinance. You can get what I think is called a supplementary certificate of permanent residence if you are not a British Subject and your spouse is a British Subject and you have been resident here three years.

HON J BOSSANO:

Mr Speaker, what I am suggesting is that under the amendments carried out to the Immigration Control Ordinance as a result of EEC obligations and having looked at the relevance of EEC requirements, is it not the case that an EEC national can pass his rights or her rights to a non-EEC national on marriage and if that is the case then, Mr Speaker, it would seem that if, for example, the husband of a Gibraltarian person needs to wait five years and the husband of a French person does not need to wait five years then our laws are more generous to other EEC nationals than they are to our own nationals if that is the case because certainly my understanding of the law is that if you have got a French person with residence in Gibraltar then that person joined by their dependents or their spouse cannot have new requirements put on the spouse whether it is five years or anything else, they automatically have got to be granted the same residential rights.

HON CHIEF MINISTER:

Yes, but I think, subject to what the Attorney-General may say and we are getting into a rather difficult subject to distinguish, I think the certificate of permanent residence is given under the Immigration Control Ordinance, Section 15, which was done for another purpose completely in order to attract people with money to come here and settle that was in the days when we were attracting people to come and buy flats here. The Hon Member is right in respect of the right to reside but when you refer to permanent residence it means permanent residence under the

Immigration Control Ordinance and therefore that status does not have anything to do with EEC rights, the EEC Subject lives here and has a five-year permit at the time or whatever and permanent residence in certain cases but qualifying under our own Immigration Act and not under any EEC Regulation.

HON J BOSSANO:

Mr Speaker, what I am saying is, in order to obtain a certificate of permanent residence is it something that is obtained automatically on marriage to an existing permanent resident?

HON CHIEF MINISTER:

Yes.

HON J BOSSANO:

There is no question of the person marrying and then having to wait five years before they can apply, that was my question.

MR SPEAKER:

Next question.

NO. 134 OF 1985

ORAL

THE HON J BOSSANO

Can Government state what is the policy being followed in respect of non-EEC women who become pregnant and wish to have their child in Gibraltar?

ANSWERTHE HON THE CHIEF MINISTER

Under present policy, non-EEC women are not allowed to remain in Gibraltar to give birth and are required to leave before the seventh month of pregnancy. The immigration authorities put this policy into effect and all non-EEC women who are allowed to reside in Gibraltar are informed in writing of this condition on their stay. Appeals against the requirements to leave are, according to the provisions of the Immigration Control Ordinance, made to the Governor who considers them on their individual merits. The Governor, in his discretion, allows appeals only in exceptional cases on humanitarian grounds or in cases where a family appears genuinely to have settled in Gibraltar. Non-EEC short term female visitors to Gibraltar who are pregnant are not refused entry provided they satisfy the immigration authorities at the point of entry that they are bona fide visitors and that they are not seeking to come to Gibraltar for their confinement.

SUPPLEMENTARY TO QUESTION NO. 134 OF 1985

HON J BOSSANO:

Is it Government's intention to continue with this policy?

HON CHIEF MINISTER:

The answer is yes and no.

HON J BOSSANO:

It sounds familiar.

HON CHIEF MINISTER:

The immigration policy in general is being reviewed in the light of the British Nationality Act to see if a more humane and generous policy can be devised. The question on non-EEC pregnant women and that of visiting families is receiving particular attention. In the case of non-EEC women who give birth in Gibraltar there is no longer the consideration that the children so born would acquire British Nationality under the new Act, since under the Nationality Registration birth in a dependent territory does not by itself confer nationality unless one of the

parents is British or is settled in that territory. In the light of that I think the authorities are revising the matter in a more humanitarian way. If the Hon Member wishes me to deal with matters that prompted this question I am prepared to answer that.

HON J BOSSANO:

Mr Speaker, do nationals of the Kingdom of Spain get treated currently under the policy applicable to non-EEC nationals or to EEC nationals?

HON CHIEF MINISTER:

Insofar as entry is concerned the same, that is to say, if they are bona fide visitors and it is clear that they are not intending to come here to deliver, they are treated exactly the same.

HON J BOSSANO:

But if they reside here are they told on taking up residence, presumably they have been in the past, but has that changed as a result of the Brussels Agreement and the advance implementation of EEC rights?

HON CHIEF MINISTER:

I think I would need separate notice of that question but I will find out and let the Hon Member know. I think I know what the answer is but I don't want to give it in case I am not right.

MR SPEAKER:

Next question.

NO. 135 OF 1985

ORAL

THE HON J BOSSANO

Is Government aware whether it is still the intention to fill the post of General Manager of GBC by recruiting an expatriate officer?

ANSWERTHE HON THE CHIEF MINISTER

Sir, the Government understands that the Board has decided to invite Mr Michael Massey of the BBC, who has undertaken similar tasks in the past, to look into GBC's structure and staffing and make recommendations. Steps will then be taken to fill the post.

SUPPLEMENTARY TO QUESTION NO. 135 OF 1985

HON J BOSSANO:

Mr Speaker, isn't what the Hon and Learned Member saying in the nature of a staff inspection which has been done before, in fact, by Mr Massey, is he saying that whether the post is required or not it is being looked at?

HON CHIEF MINISTER:

I must say that I am trying to help the House in giving this answer on information given to me by GBC which is, as the Hon Member knows, an independent body. My understanding is (a) that it has nothing to do with the structure that was done before by Mr Massey, that it comes as a result of some difficulties which have been found in the recruiting of a General Manager and the kind of money that is required and so on and they want to have a re-think as to what should be done but that is all, I cannot say any more on that.

HON J BOSSANO:

Mr Speaker, doesn't the Hon Member think that since the House will obviously be involved in financing the cost that we ought to be made aware of the consideration before irrevocable decisions are taken?

HON CHIEF MINISTER:

Absolutely and, in fact, it is as a result of the knowledge that was gained in the original way they went about recruiting the

required officer that made them think again because the kind of money that was being suggested by GBC for the job was one that I don't think anybody in this House could contemplate a subvention for GBC.

MR SPEAKER:

Next question.

NO. 136 OF 1985

ORAL

THE HON J L BALDACHINO

Mr Speaker, is it still Government's intention that the Landlord and Tenant Ordinance 1983 should come into operation in April, 1985?

ANSWERTHE HON THE ATTORNEY GENERAL

Sir, the Landlord and Tenant (Amendment) Ordinance, 1984 will be discussed in detail in Committee at this session of the House.

The Government intends to bring into operation on the 1st July next:

- (i) Parts I, II and III of the 1983 Ordinance.
- (ii) Sections 70 - 74 (inclusive), 77, 80 to 82(1) (inclusive), 83 and 84 in Part V of the 1983 Ordinance.
- (iii) The First Schedule, the Second Schedule and the Fourth Schedule (except paragraph 5 of the Fourth Schedule).

The 1st July, 1985, has been chosen as it is considered that this is the most convenient date having regard to the need for Landlords to serve notices to increase rents and also for accounting purposes.

The Government wishes to consider in detail the provisions of Part IV of the Ordinance (dealing with Business Premises) in the light of the changed circumstances arising from an open border situation.