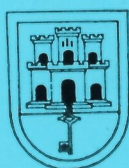


GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

16TH DECEMBER, 1986

256 TO 304

THE HON J E PILCHER

First of all, Mr Speaker, I would like to thank the House for giving me leave to ask my questions now since I was unable to attend earlier due to a problem emanating at work. I thank the House.

Can Government give the number of hourly paid workers at Gib-repair and how does this compare against the figures for December, 1985?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Sir. The number of hourly paid workers at the beginning of December was 632 compared with 558 at the same time last year.

SUPPLEMENTARY TO QUESTION NO. 256 OF 1986

HON J E PILCHER:

Mr Speaker, in a question earlier this year I asked the Hon Financial and Development Secretary whether it was still the intention of the company to honour their projections to employ 900 workers at the end of the second year. Could he confirm this?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think the Hon Member will not be surprised, Mr Speaker, if I say that the earlier forecasts which the company had made have been subject to a certain amount of fluctuation and revision in the light of changing events and, of course, this was one of the reasons, that is to say, the changing events influenced the Government in inviting Price Waterhouse to undertake a consultancy report and to make recommendations about the future of the company.

HON J E PILCHER:

Mr Speaker, I accept that and, in fact, in his previous answer he said to me that some changes in the original assumptions had occurred because of the passage of time. The reality is that A & P Appledore got the contract to run the yard based on their submission which included a figure of 900 workers at the end of the year. The Government have already received the report and what I am trying to find out, Mr Speaker, is whether or not the company intends to continue to employ 900 workers by the end of this year or are they satisfied that with 632 they can now work comfortably with that number?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The Hon Member has, in fact, asked a question which is down on the Order Paper, Mr Speaker, about the company's plans for 1987 and I propose to say something about this particular aspect when I answer that question.

HON J E PILCHER:

Mr Speaker, I am still referring to 1986 which is this question, 1987 is the next question, I accept that.

MR SPEAKER:

In fairness, the answer to your question will affect the performance and the employment in 1987. He has asked for leave to be able to answer that particular part of the question when he answers the next question.

HON J E PILCHER:

Mr Speaker, thank you very much but I did not understand that, I thought he meant he was going to give me figures for 1987 and what I am asking is if by the end of 1986 the company will not meet its projections in their initial submission of 900 workers.

MR SPEAKER:

I think that was inherent in the very first answer that the Hon Member gave you.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

If it wasn't implicit, Mr Speaker, I will certainly make it explicit.

HON J E PILCHER:

Is the Hon Financial and Development Secretary in a position to tell me out of those 632 workers how many are Gibraltarians, Mr Speaker?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I cannot give the figures for December but I do have the information for September and I don't think that it will have greatly altered if the Hon Member will take what I have to say as being an approximation. Of the hourly paid at the end of September, 1986, and there were about 601 I believe at the end of September, there were 319 Gibraltarians, 98 UK nationals, 100 Moroccans, 70 Spaniards and 14 other. These figures exclude apprentices. I have actually got the information for the end of September, 1985, if the Hon Member wishes.

HON J E PILCHER:

Thank you, Mr Speaker, the figures he has given me are quite adequate, I think it is a point that has been subsequently made. The question is it is 319 which was the same figure or very nearly the same figure quoted in the last House, I think it was 317 then, so there has been an increase in the number of industrial workers at GSL from 606 to 632, a minor increase, but there has not been an equivalent increase in the Gibraltarian element which means that the workforce is increasing but not the Gibraltarian element of the workforce. In fact, it is dwindling slowly. Is the Government.....

MR SPEAKER:

With respect, we are making comments.

HON J E PILCHER:

Yes, Mr Speaker, I am sorry. Is the Government happy about the fact that although there is a minor increase in the number of workers at GSL there doesn't seem to be an increase in the Gibraltarian element of the workforce?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, I have really no comment to make on the Hon Member's invitation to the Government to comment on that, Mr Speaker. As I think I have said in my earlier comments, there have been changing circumstances affecting the yard, indeed, affecting Gibraltar generally. The employment situation has been, one might almost say revolutionised over the past two years with opportunities elsewhere in the economy and I think it is really part of the present study of Gibrepair, it is an aspect of the present study that one must consider the situation as it has developed and see what the future holds for them.

HON J E PILCHER:

Mr Speaker, it was a question, as I have made the point very often and I don't want to make statements, but it is a question directed at the political side of the Government not at the civil service side of the Government. It is a political question, is the Government happy that the Gibraltarian element in GSL is actually dwindling away?

MR SPEAKER:

The answer has been that they would rather not make a comment on that at this stage. Next question.

16 12 86

NO. 257 OF 1986

ORAL

THE HON J E PILCHER

Can Government confirm that in order to complete the proposed RFA Programme of £7.2m in 1987, there will have to be an increase in the industrial workforce of GSL?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

No, Mr Speaker. The Company does not plan any increase in hourly paid staff beyond current levels.

SUPPLEMENTARY TO QUESTION NO. 257 OF 1986

HON J E PILCHER:

Mr Speaker, is it then the decision of the company to subcontract work out in order to meet certainly the increased workload of the company in 1987?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Perhaps I should elaborate a little bit on my reply. When I said any increase in hourly paid staff beyond current levels I am talking in broad terms. I think there may be some small increase, this depends obviously on the availability of staff but not a significant increase beyond current levels. As far as the future is concerned, obviously the company will have to take various measures if more man hours are needed to complete the programme of work. Of course, as far as the RFA's are concerned, the programme of entry assumes that one RFA will come in after another, that is to say, we won't get all five at once and that, I think, should help. As far as the man hour requirements to cope with additional work which may be undertaken by the company, one would hope profitably, the company will have to take the measures which it has been taking either increase shift working or a certain amount of subcontract work.

HON J E PILCHER:

Mr Speaker, the Financial and Development Secretary hasn't answered the question. He said that there might be a significant change. The information available to this side of the House is that GSL would need somewhere in the region of 100 more workers to be able to complete the 1987 RFA programme and certainly 100 is not an insignificant change. If the total industrial workforce is 632, 100 more is a very significant change. Can the Hon Financial and Development Secretary confirm that or not?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Sir, I cannot confirm it, I was trying to be helpful to the Hon Member in outlining in very general terms the sort of measures which I would expect the company to take. I think from his comments he may very well be more knowledgeable on the matter than

I am myself and I make no apologies for being in that situation because my responsibilities for GSL are, as Hon Members opposite will know, clearly defined. I try to provide information if I have it available but if I haven't got it available there is not really very much more I can say.

HON J E PILCHER:

Mr Speaker, I accept the position of the Financial and Development Secretary. I have for a very long time accepted his position. I am asking and if he is not in a position to answer me then I suggest some other Member of the Government answers me.

MR SPEAKER:

With respect, I must make a comment here. One must differentiate between the responsibility of the Government and the responsibility of the company. They are not here to answer for the action taken by the company.

HON J E PILCHER:

I accept that, Mr Speaker, but it is a political question that I am trying to get at. If there is, as is the information on this side of the House, going to be an increase in 100 workers in 1987 then it is a political question to ask whether this is not really

MR SPEAKER:

You have been given an answer. You have been told as much as they can tell you and what the Hon Financial and Development Secretary has said to you is 'to the extent that I have knowledge I have given it to you'.

HON J E PILCHER:

Could the Government then try and obtain or otherwise to see whether the information on this side of the House is correct and let me have an answer when available?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think, obviously, Mr Speaker, further information will emerge in due course about the company's plans and insofar as it does emerge I will continue to endeavour to provide the Hon Member with the answers to his questions.

HON J E PILCHER:

Mr Speaker, in due course is not good enough, in due course we are still waiting for the accounts of GSL which is another question. I am trying to ask a question on the RFA programme. If there is going to be an increase in the employment due to that then it would seem to make more sense from this side of the House to extend the programme into 1988 and therefore not have to increase the resources. It is a valid political question.

MR SPEAKER:

With respect, we are belabouring the point. You have been given perhaps an inconclusive answer to the one you expected to be given but to the extent that the Hon Financial and Development Secretary has been able to he has given you the information that he has. It is inconclusive but there we are, we cannot belabour the point.

HON J BOSSANO:

Mr Speaker, does Government have any views as a matter of Government policy about whether it is preferable to do the guaranteed RFA work over a longer period providing continuity of work for a lesser number of people or to do it over a shorter period providing work for a greater number of people which will require the importation of labour? Is there a Government policy on that subject?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think, Mr Speaker, as those questions are hypothetical one would have to explore the basis of the various hypothesis and there are quite a number of hypothesis in the Hon Member's question and amongst other factors which occur to me immediately is the extent to which it may be feasible for the company to extend the programme of work of RFA's into the subsequent year. I don't know sufficient about their plans to know whether that would have, what I take to be, the beneficial effect which the Hon Member was assuming or whether indeed that hypothesis that it would have a beneficial effect is one which is valid but a number of these matters will, I think, emerge, the conclusions will emerge in the not too distant future as a result of the company's formulation and study of their own plans.

MR SPEAKER:

Next question.

NO. 258 OF 1986

ORAL

THE HON J E PILCHER

Can Government state whether the GSL Pension Fund has now been set up with retrospective effect from the 1st January, 1985?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

I understand that most of the formalities involving the setting up of the pension scheme have now been completed and that there should be a first meeting of the Trustees early in the New Year.

NO. 259 OF 1986

ORAL

THE HON J E PILCHER

Can Government state whether GSL is now committed to continue with an Apprentice Intake and at what level?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Sir. The Company expects to take on apprentices in 1987 at a level similar to 1986.

SUPPLEMENTARY TO QUESTION NO. 259 OF 1986

HON J E PILCHER:

Mr Speaker, since it is true that in their initial submission there were no points raised about the number of apprentices they would take, it was only a figure of £300,000 in the first year and £400,000 in the second year, could the Hon Financial and Development Secretary say whether this figure of £400,000 is going to finance the whole of the intake of apprentices in this year?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Mr Speaker, we did have an exchange on the subject of the cost of pensions at the last meeting of the House. I don't think I have anything further to say after the very thorough exchange and amplification of what was said in supplementaries on that occasion at this stage.

HON J E PILCHER:

I am talking about apprentices not pensions.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Apprentices, yes.

HON J E PILCHER:

He said pensions, Mr Speaker.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sorry, but where I said pensions or pensioners in my comments I did mean apprentices. We did have a thorough exchange on the subject of the cost of apprentices and the changes which had been made. I really have nothing more to say about the cost.

HON J E PILCHER:

I accept that we had a very inconclusive, as is the usual argument,

on the apprentices but since we haven't had the accounts for 1985 and the accounts for 1986 we will get probably in early 1988, could we find out whether the submission that was £300,000 spent on the intake of apprentices in 1985 and £400,000 spent in 1986 has been reached?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I am not quite sure if I understand the Hon Member. Could he perhaps explain what he wants?

HON J E PILCHER:

In the submission by A & P Appledore when they got the tender there was a sum of £300,000 put there for the first year intake of apprentices. In the second year they had £400,000 put down for the intake of apprentices and it was supposed to build up after that but these first year and second year sums were put in the initial tender. What we are trying to find out, Mr Speaker, is whether the company has, in fact, met these expenses or like the pensions, they have not met it because they haven't got the finances to do it?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I will be able to provide the Hon Member with retrospective information in due course, certainly if that is what he requires, but as far as 1987 is concerned I would refer, again, to the exchange we had, I think, in the last meeting of the House and I would certainly expect that the cost of the apprentice training because of the circumstances which were explained at the last meeting to be considerably lower in 1987.

HON J E PILCHER:

If the Financial and Development Secretary is prepared to give me the figures even if it is in due course provided in due course is not like the GSL accounts then it will have to do.

MR SPEAKER:

Next question.

NO. 260 OF 1986

ORAL

THE HON J E PILCHER

Can Government explain why the GSL Accounts for the year ending 31st December, 1985, have not yet been tabled in this House?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

As I explained in my answer to Question No.202 at the last meeting of the House, the final certification of the GSL Accounts was contingent upon assurances about the Company having the financial resources with which to trade over the next twelve months. The Government has been in discussion with the Company about this following the presentation of the Price Waterhouse Report, but the question of financial support has not yet been resolved.

SUPPLEMENTARY TO QUESTION NO. 260 OF 1986

HON J E PILCHER:

Mr Speaker, if I understand that answer correctly, is it that the auditors are questioning the financial capability of the company to run into 1986/87?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, broadly speaking that is true, Mr Speaker.

HON J E PILCHER:

So the auditors will not actually certify the accounts because they are themselves not satisfied that it will run in the future or that it has problems in actually getting the information necessary to audit the accounts for 1985?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, it is not really that and it is not a question of getting the information. It is a requirement on auditors and, indeed, a requirement on the directors of the company themselves that they must be satisfied that the company can continue as a going concern and as the company has a prospective cash shortfall in 1987 these are the assurances which are needed by those concerned before the accounts can be presented to this House and certified by the auditors.

HON J E PILCHER:

Therefore the directors of the company cannot say that it is a going concern and therefore this is why the auditors will not certify the document as being.....

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, they obviously have made representations to the Government over the question of financial support and as the House will be aware the

Government was awaiting the views of the Price Waterhouse Report before reaching its own conclusions on that particular matter.

HON J E PILCHER:

Mr Speaker, when are we likely to get the GSL accounts tabled in this House?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I would hope, Mr Speaker, that it will be at the next meeting of the House and for other reasons I would imagine that the directors of GSL and the auditors also hope so, too.

HON J E PILCHER:

Mr Speaker, the point to make it is not obviously a question but it is not a statement but I think it is conclusive in the question. If you remember the arguments that we had early in 1985 about information we wanted which the Government pushed us into waiting for the report early in 1986, it is now the end of 1986 and it is important to us that those questions that were unanswered and the only possibility to answer them is in the actual accounts we are in no position to answer them. I hear what the Government is saying but we need that report tabled in the House as soon as possible.

MR SPEAKER:

Next question.

NO. 261 OF 1986

ORAL

THE HON J BOSSANO

Can Government state whether it has now considered what items of capital expenditure should be financed by the £2.3m borrowed in the 1985/86 financial year?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the Government is currently reviewing its capital spending plans in connection with the 1986-1990 Development Programme in the light of the ODA contribution towards this. The resources available to the Government from various sources for the purpose of financing this programme, including reserves, sale of Government property, existing borrowing and the scope for further borrowing, naturally form part of that review. I would hope to be in a position to say something more specific on this subject early in 1987 when the Government has concluded its review and reached a decision on the various matters involved.

SUPPLEMENTARY TO QUESTION NO. 261 OF 1986

HON J BOSSANO:

Can the Financial and Development Secretary, Mr Speaker, confirm that it is the intention as was intimated during the Budget to make use of the money that was borrowed at the time in anticipation of a deficit in the current expenditure that did not arise, to use that money, in fact, for capital expenditure?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The various financial resources available to the Government including the figure which the Hon Member has highlighted will naturally form part of a pool of resources available. Unfortunately, decisions about the capital programme have not yet been finally reached so I therefore do not know how much money will be needed for that purpose. There may be other changes in Government programmes between now and the point in 1987 when I would expect a decision to be taken, I don't know, this will depend on the Government's priorities. I think it is too early for me to make a forecast on that, Mr Speaker.

HON J BOSSANO:

Mr Speaker, I understand perfectly well what the Hon Member is saying about the total expenditure programme but I am not asking that. Can the Hon Member confirm that it is the intention, as was indicated at the Budget, that when the reason given at the time for not being able to give me a statement in this respect was the fact that an answer had not been received from the United Kingdom on a request for aid, that now that the answer has been received it is the intention to use the money which was originally borrowed in anticipation of a deficit that did not materialise, to use that particular sum

independent of what other resources may be available, to use that particular sum for capital spending?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I am sorry, Mr Speaker, it is too early for me yet to say how the Government proposes to use the resources available to it.

MR SPEAKER:

Next question.

16 12 86

NO. 262 OF 1986

ORAL

THE HON J BOSSANO

Does Government still expect that the outcome for the current financial year will be a deficit of £821,500?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Mr Speaker. Allowing for some improvement on the revenue side of the Government's account, but offset by some increases in expenditure, I would, at this stage, expect the overall result to be fairly close to the budget forecast for the current financial year.

NO. 263 OF 1986

ORAL

THE HON J BOSSANO

Can Government state what it considers to be the prudential ratio of reserves to Government spending at present?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

No, Mr Speaker. I do not think there is a simple answer to such a question. However, having regard to overall economic conditions, the buoyancy of Government revenues and likely claims on Government resources in the foreseeable future I can assure the Honourable Member that the Government's net liquidity position is satisfactory at present.

SUPPLEMENTARY TO QUESTION NO. 263 OF 1986

HON J BOSSANO:

Mr Speaker, would the Hon Member not agree that if in successive budgets the Government seems to be aiming for a given level of reserves it is impossible to deduce what is considered a satisfactory level without being given some indication by Government?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think as an exercise in Cartesian logic what the Hon Member has said may be true, Mr Speaker. I think Governments are faced, however, with practical situations which they have to handle with the resources available at any particular time. Going back over two years I think we were concerned about the level of reserves mainly because they were declining in a declining economic situation, of course. The Hon Leader of the Opposition was one of those who drew attention to this from time to time. That is no longer the case, we have a buoyant economy, we have buoyant Government revenues and quite clearly the whole set of economic circumstances and criteria which one might apply to consideration of the question raised by the Hon Member have changed but I don't think that it follows that we can say: 'Yes, there is a fixed ratio and it should be X or Y'.

HON J BOSSANO:

Would it be true then, Mr Speaker, to say that there is no current Government policy as to what the level of reserves should be in the current state of the economy?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think that in general terms I would agree with that, Mr Speaker.

HON J BOSSANO:

So that, in fact, Mr Speaker, if the reserves were lower than they are at present the Government in its current thinking would not

think that was a cause for concern?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, that, unfortunately, does not follow, Mr Speaker, because I don't accept that the criteria is exclusively one of the level of reserves. There are, as I think I indicated in my question, a variety of indices and circumstances which one must take into account when judging the state of Government finances and what its financial position is relative to that of the economy so I don't agree with the particular point the Hon Member has put.

HON J BOSSANO:

So then, Mr Speaker, does the Hon Member think that the current level of reserves is, in fact, not too high?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, I am not going to be tempted by the Hon Leader of the Opposition in saying that it is too this or too that or not too this or not too that.

HON J BOSSANO:

Would it be true, then, Mr Speaker, that the Hon Financial and Development Secretary would be satisfied with whatever the level of reserves was at any given point in time?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The Hon the Chief Minister has just interjected on my behalf and said 'of course, not', Mr Speaker.

MR SPEAKER:

Next question.

NO. 264 OF 1986 .

ORAL

THE HON J BOSSANO

Can Government state the value of imports in the 10 months to October this year and the comparable figure for last year?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

The Imports and Exports Statistics report published in October 1986 showed that the value of non-fuel imports for the period January to October 1985 stood at £58.79 million. I regret that I only have available import figures for the first three months of 1986 at present which show a total of £15.95 million compared to £14.04 million for the corresponding period in 1985.

SUPPLEMENTARY TO QUESTION NO. 264 OF 1986

HON J BOSSANO:

Can Government state whether they have any indication as to whether the trend in the subsequent months after the first quarter figures that the Hon Member has given has been maintained above the level of last year?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Impressionistically, yes, Mr Speaker, but I cannot confirm that with figures. I apologise for the fact that we are unable to provide the information which the Hon Member has sought, we have had serious staffing problems in the Economic Planning and Statistics Office, representations on this point have been made by us for some considerable time. We had a Management Services Study on the office which recommended a new structure and also recommended that we should have additional staff for this very purpose actually, for clearing the backlog of work on the imports and exports statistics and I am afraid that we still haven't got the staff and we still have the backlog. I am afraid what has happened rather illustrates the truth of the scriptural text that 'from those that have not it shall be taken away'. Added to my difficulties, of course, is the fact that I have lost one of my three senior economics staff, that was early this year, I am about to lose another one and on present trend it looks as if by the time of the next general election I shall have none, I shall be acting as teaboy myself.

HON J BOSSANO:

Mr Speaker, while it is all very interesting to hear what the Hon Member's Department is suffering in terms of loss of staff, what I would like to have some indication of is the performance of the economy in terms of imports even if there are no figures available. Can the Hon Member indicate whether from what little information he has available to him there is an indication whether the trend is on the increase or levelling down? What is the direction in which imports are moving?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

As I have said, Mr Speaker, impressionistically the trend is continuing, that is to say, at an increase over the period for the previous years but I wouldn't like to say more than that that is impressionistic at this stage.

MR SPEAKER:

Next question.

NO. 265 OF 1986

ORAL

THE HON J BOSSANO

Can Government state when it expects to be in a position to publish National Income Statistics for 1984/85 and 1985/86?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Mr Speaker, I can now provide the Hon Member with the National Income figure for 1984-85, which is £87.2 million. The preliminary estimate of National Income for 1985-86 is £99.6 million showing an increase of 14.3 per cent nominal or 10.4 per cent in real terms.

NO. 266 OF 1986

ORAL

THE HON J BOSSANO

Does Government now expect to collect more than the £21.6m in income tax in the current financial year which was estimated at Budget time?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Sir. The latest estimate of income tax for 1986-87 is now £22.25m, representing an increase of £0.65m over the budget forecast. In 1985/86 the actual was £22.4m according to the latest account figures.

SUPPLEMENTARY TO QUESTION NO. 266 OF 1986

HON J BOSSANO:

Could I ask the Hon Member whether this latest estimate takes into account anticipated settlements of wage reviews in the private sector or only in the public sector?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

It does insofar as we can, of course, take account of trends in the private sector and anticipated settlements, yes.

MR SPEAKER:

Next question.

NO. 267 OF 1986

ORAL

THE HON M A FEETHAM

When does Government intend to bring to the House the proposed Bill on Health and Safety at Work which they indicated would be brought to the House before the summer recess?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, a draft Bill for a Health and Safety at Work Ordinance which was prepared and submitted to Government in July, 1985, has been held back by me pending the drafting of the Building, Demolition and Excavation legislation recommended by the Commission of Inquiry into the incident at Cooperage Lane.

In September of this year I requested Sir John Spry to make whatever amendments might be needed to the draft Bill in the light of the amendments envisaged by him in his report into the incident at Cooperage Lane.

Sir John has began work on the Building, Demolition and Excavation legislation but at this stage it is impossible for me to give a definite date by which the Health and Safety at Work and the Building, Demolition and Excavation legislation will be ready to be brought to this House.

SUPPLEMENTARY TO QUESTION NO. 267 OF 1986

HON M A FEETHAM:

Can Government state what has one thing got to do with the other? Health and Safety concerns all industries, you are talking about demolition work.

HON ATTORNEY-GENERAL:

Yes, it does because the present Demolition legislation is contained in the Factories Regulations which deal with the safety of men on a demolition site and there is the Building Operations Regulations and several other subsidiary legislation made under the Factories Ordinance which, of course, govern the safety of men at work.

HON M A FEETHAM:

I understand that, I quite understand what the Member opposite is saying. What I am saying is the Health and Safety legislation is a comprehensive piece of legislation presumably based on the UK. Can the Hon Member opposite say how would that stop the Bill being brought to the House because of the Demolition legislation?

HON ATTORNEY-GENERAL:

It is a question of how the two are going to be put together, it might well be that there will be a separate piece of legislation dealing

with Building, Demolition and Excavation and the safety of workers engaged on those projects will be covered in that legislation. My present Bill covers Health and Safety at Work right across the board so I am going to have to juggle between the two and decide what goes into what Bill and what goes into the other Bill.

HON M A FEETHAM:

So what the Hon Member opposite is saying is that it will follow UK practice?

HON ATTORNEY-GENERAL:

Yes, the Health and Safety Bill as drafted follows the UK Bill.

MR SPEAKER:

Next question.

NO. 268 OF 1986

ORAL

THE HON J C PEREZ

Does Government envisage any change in the qualifications required for entry into the P&TO grade as a result of the restructuring being undertaken?

ANSWERTHE HON THE ATTORNEY-GENERAL

Yes, Sir, the criteria for recruitment to the P & TO Grade will have to be brought into line with the changes that have taken place in the United Kingdom.

Discussions are currently being held with the Institution of Professional Civil Servants, the Staff Association holding the negotiating rights for the P & TO Group and it is hoped that agreement will shortly be reached to implement the new basic qualification requirements for entry into the basic P & TO Grade.

SUPPLEMENTARY TO QUESTION NO. 268 OF 1986

HON J C PEREZ:

Can Government state what practical effects it is envisaged that this will have, for example, for craftsmen who are eligible now to enter into the P & TO grade, will they need extra qualifications or will they be eligible to apply for a P & TO post under the new qualifications?

HON ATTORNEY-GENERAL:

I think, Mr Speaker, that people who are presently qualified to enter into the P & TO grade some consideration will have to be given to them. This is obviously the subject matter of these discussions. Some consideration will have to be given to them and to see whether or not there should be some transitional period for the entry of such people who are presently qualified to enter into those grades. This will obviously be a matter of discussion.

HON J C PEREZ:

Could the Government state that if this is going to be an interim period what plans they have to train people to obtain the qualifications required after the interim period has lapsed?

HON ATTORNEY-GENERAL:

I am afraid, Mr Speaker, I am speaking very much to a brief and I wouldn't like to add. I don't know the answer to that question, I am sorry.

HON R MOR:

Mr Speaker, I would like to ask, what is the Government intending to do to provide the necessary training so that people can obtain the qualifications locally?

HON ATTORNEY-GENERAL:

You mean what training scheme? As I said to the last questioner I simply don't know, I am speaking very much to a brief, I don't know if any of my colleagues on the Government side can help but it is not in my brief for this particular question.

MR SPEAKER:

Next question.

NO. 269 OF 1986

ORAL

THE HON J C PEREZ

Is Government intending to lower the rate of postage to the United Kingdom to bring it into line with the lower rate of postage introduced in UK in October?

ANSWERTHE HON THE MINISTER FOR EDUCATION, SPORT AND POSTAL SERVICES

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 269 OF 1986

HON J C PEREZ:

Could the Hon Member explain why?

HON G MASCARENHAS:

Mr Speaker, I have some figures here which might be interesting for the Hon Member. In 1984 the United Kingdom despatched 537 million letters to overseas destinations. I hope he bears with me with the figures because they are quite long. 537 million letters to overseas destinations whilst their domestic service dealt with nearly 12 million, this is about 22 times as much. The reduction of four pence in the postage of letters destined for EEC countries should be taken within the context of the increases in charges for other services amongst which there was an increase of one penny in all inland letters. I am not aware of the reasons which have prompted the British Post Office to effect these changes but suffice it to observe that the above figures speak for themselves.

HON J C PEREZ:

Mr Speaker, if the above figures as the Hon Member opposite says speak for themselves, why is it that in 1984 when he announced the increases in charges he tried to justify those increases in Gibraltar by virtue of the fact that they were increasing them to get into line with UK?

HON G MASCARENHAS:

Mr Speaker, I am not responsible for what the British Post Office does subsequent to that. I don't believe that I have said that we are increasing our charges to come into line with the UK, that has never been the intention and it has never happened over the years, in fact, there has never been any cry for the increase in the Gibraltar rate for all the years and this has been up to March, 1986, when the Gibraltar rate was always lower as between Gibraltar and UK and UK to Gibraltar. The occasion has only arisen now because the British Post Office have had a change of emphasis which will allow them, may I say, considerable profits on overall operations.

HON J C PEREZ:

The Hon Member has not answered my question, Mr Speaker. My question was, if Gibraltar raises or lowers its postage regardless of what happens in UK, why is it that the Hon Member opposite has in the past tried to justify increases in Gibraltar by virtue of the fact that in the UK their postage rate was to go up or was higher than in Gibraltar?

MR SPEAKER:

I think the Hon Member has said that the postage rate in Gibraltar was lower for a longer time than necessary compared to the United Kingdom.

HON J C PEREZ:

Mr Speaker, with due respect, it has always been lower but he has justified in the past the fact that the Gibraltar rate is lower than the UK rate and that the UK rate was to increase so that it would continue to be lower in justifying the increases in postal charges and I am asking the Hon Member if there is no connection whatsoever why it is he has in the past used the increases in UK to justify the increases in postal charges in Gibraltar if there is no connection?

HON G MASCARENHAS:

Mr Speaker, I have never justified the increases in Gibraltar because the UK has been higher, there is no reason. We work on a basis and I have here a technical explanation which I will give the Hon Member and that is governed by the postal charges and the limits on the weights and sizes are laid down by Article 19 of the Universal Postal Convention. The basic charge which is based on an item of surface mail worldwide for the first 20 grammes may be reduced by 70% or increased by 100%. The airmail rate is then arrived at by adding the cost of air conveyance to the basic rates. Our policy has always been to accept the UPU recommended rates. In 1979 it was set at 75 gold centimes, this rate at the time converted to 14p for surface mail and 17p for airmail to Europe. In 1984 the equivalent rates were 17p and 20p respectively based on the conversion rates then in force. The basic rate now recommended by the 1984 Convention is 112.50 gold cents. Nevertheless, it was decided to retain the basic rate of 75 gold cents representing a reduction of 33 $\frac{1}{3}$ %. However, the conversion rate in 1986 has deteriorated to such an extent that the 75 gold cents converted to 19p which is the current basic surface rate and 22p for airmail to Europe which is the present rate. These rates came into effect on the 1st March, 1986. To answer the Hon Members point, if the current conversion rate was applied the 75 gold cents would now convert to 21p for surface mail and 24p for airmail. As these are not being reviewed, effectively the reduction from the UPU recommended rate is 40%.

HON J C PEREZ:

I am glad for the Hon Member's explanation to a question I haven't put to him, Mr Speaker. Could we take it that since the Hon Member has not directly answered the question I put to him, that he

will in the future not compare with the UK in trying to justify the increases in postal charges in Gibraltar because there is, in fact, no connection and that what he has done in the past is merely to try and justify it without regard whatsoever to anything that has been happening in the UK?

HON G MASCARENHAS:

Mr Speaker, I have already answered that, I have never justified that the rates from Gibraltar to UK.....

MR SPEAKER:

You have been asked whether you will not justify it in the future?

HON G MASCARENHAS:

I have never justified it in the past, I will not do so in the future, I am stating clearly that the Gibraltar Post Office has an independent policy which we have always acceded to based on UPU recommended rates.

HON JC PEREZ:

If you will permit me I can prove to the Hon Member that he has in his statement which he gave to this House in 1984, and I quote, and in justifying the increases he said: 'It is to be noted that the airmail rate from the United Kingdom to Gibraltar is currently 20½p. It is understood, however, that this rate will be increased in the near future' in relation to the fact that it would keep the ratio as it was.

MR SPEAKER:

In fairness, surely that is by way of comparison not justification.

HON G MASCARENHAS:

Not justification.

HON J L BALDACHINO:

May I ask the Hon Member if every time the postage rates have been increased in Gibraltar he has followed the line for the same increase as in the UK?

HON G MASCARENHAS:

No, Mr Speaker.

MR SPEAKER:

Next question.

HON G MASCARENHAS:

Mr Speaker, before we proceed can I just correct something that I have been advised that I was incorrect in the information that I gave the House this morning. I believe that I quoted 12 million letters for the British domestic service, that should be 12,000 million. I want that clear for the record. It refers to Question No. 269.

NO. 270 OF 1986

ORAL

THE HON M A FEETHAM

Can Government give details of the representations that were made to them by the Moroccan delegation that recently visited Gibraltar?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, no Moroccan delegation as such has recently visited Gibraltar. The Governor of Tangier visited Gibraltar at the invitation of His Excellency the Governor on the 1st and 2nd of December.

In the course of a short courtesy call which he made on me, he expressed his personal interest in the Moroccan community in Gibraltar and mentioned in general terms some of the issues which the Moroccan Government has officially raised in the past.

SUPPLEMENTARY TO QUESTION NO. 270 OF 1986

HON M A FEETHAM:

What the Hon Member opposite is saying is that no representations as such were made officially, is that what the Hon Member is saying?

HON DR R G VALARINO:

No, Mr Speaker, I have not said that, obviously the Hon Member has not listened to the answer properly. I shall repeat the answer if he so wishes.

HON M A FEETHAM:

I will repeat my question, Mr Speaker. Did the Governor of Tangier make any representations to the Gibraltar Government regarding the welfare of their nationals in Gibraltar?

HON DR R G VALARINO:

Mr Speaker, no more than what I have said in my answer.

HON M A FEETHAM:

Can the Hon Member state exactly what areas were covered by the Governor of Tangier? Did he talk about family allowances, did he talk about job security, did he talk about unemployment benefits, did he talk about hospitalisation? This is what was said in the media by the delegation. Did he actually say that officially to the Government?

HON DR R G VALARINO:

Mr Speaker, Sir, the meeting with the Governor of Tangier lasted fifteen minutes. In that amount of time and there was nobody else

present except the Governor of Tangier, there was not a great deal of time to talk about the host of things which the Hon Member is implying. What I am saying is that we talked generally about various things which have been brought up in the past and they were of such a general nature that we did not either agree or disagree or come to any definite conclusion on any of them.

HON M A FEETHAM:

So what the Hon Member opposite is saying is that the statement made to the media which was a front page article in the Chronicle by one of the members that formed the delegation, as I would like to phrase it, were in fact not covered by Government? The Minister opposite is on record as saying to the media that the Government had paid careful attention and shown understanding of the representations. Can he explain to me what the representations were?

HON DR R G VALARINO:

Mr Speaker, first of all, I am not responsible for what the media says. Secondly, the media wrote on what another member of the Moroccan so-called delegation who was in Gibraltar said and I reiterate what I have said in the past that the issues discussed between the Governor of Tangier and myself at a very short meeting were of a very general nature about things which have been dealt many times in the past by the Moroccan Government.

HON M A FEETHAM:

Would the Hon Member clear up because I am not clear in my own mind exactly what happened with this delegation or these visitors who came to Gibraltar, he has just mentioned another member, Mr Benkirani I think his name was, as another so-called member. Did he or did he not form part with the Governor of a representation in Gibraltar regarding the Moroccan nationals or were there two separate delegations visiting Gibraltar?

HON DR R G VALARINO:

Mr Speaker, Sir, no, he did not form part of the delegation with the Governor and the Governor merely paid a courtesy call on myself.

HON M A FEETHAM:

So what the Hon Member is saying is that what has been expressed in the media as such with which I agree with him, could be a matter of media reporting rather than official representations, has not, in fact, been taken up officially by the Governor?

HON DR R G VALARINO:

That is totally right, Sir.

MR SPEAKER:

Next question.

NO. 271 OF 1986

ORAL

THE HON R MOR

Have any applications for Family Allowance been received from Frontier Workers?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

There have been 262 applications for Family Allowance from frontier workers.

SUPPLEMENTARY TO QUESTION NO. 271 OF 1986

HON R MOR:

Mr Speaker, I asked on a previous occasion more or less the same question and at the time the Hon Member told me how many application forms had been given out by the Department. Can he give me the figure now?

HON DR R G VALARINO:

Mr Speaker, I think that this is the sum of the total number of family allowances which have been completed by frontier workers. Obviously, as frontier workers increase they are likely to ask for more application forms but I will find out exactly the number of any outstanding family allowance forms and I will let the Hon Member know.

MR SPEAKER:

Next question.

NO. 272 OF 1986

ORAL

THE HON R MOR

Can Government confirm that workers temporarily living on the other side of the frontier but without official permits of residence in Spain are not debarred from claiming Unemployment Benefit in Gibraltar?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Yes, Sir. I can confirm that workers living temporarily in Spain are not debarred from claiming Unemployment Benefit in Gibraltar.

SUPPLEMENTARY TO QUESTION NO. 272 OF 1986

HON R MOR:

Mr Speaker, is this policy being applied as from the 1st January, 1986?

HON DR R G VALARINO:

Mr Speaker, as far as I know this policy has been applied as from the date that the Hon Member mentioned. If he has got any individual case which has not been dealt with properly I would be grateful if he could bring this to my attention and I will examine the case.

HON J BOSSANO:

Can I just ask the Hon Member, in order to be considered to be living temporarily on the other side is it necessary for such a worker to have additionally an address in Gibraltar or can he, in fact, register with the temporary address that he may have in the surrounding area?

HON DR R G VALARINO:

Mr Speaker, I do not think he needs an address in Gibraltar as the Hon Member has suggested.

MR SPEAKER:

Next question.

NO. 273 OF 1986

ORAL

THE HON R MOR

How many Spaniards are presently receiving full pensions and what is the total amount paid in this respect?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

A total of 770 Spanish nationals, including 32 widows, are at present receiving full pensions. The total amount paid in this respect is £1,667,676 pa.

SUPPLEMENTARY TO QUESTION NO. 273 OF 1986

HON R MOR:

Mr Speaker, is it still the Government's intention or do they still feel a commitment to continue paying this amount irrespective of whether they get aid or not when they finally deal with the matter beyond 1988?

HON DR R G VALARINO:

Mr Speaker, that is a matter of discussion between Her Majesty's Government and the Government of Gibraltar and I don't think this arises out of the question.

HON R MOR:

Yes, Mr Speaker, I am quite aware of that but when the Hon Minister for Economic Development and Trade made a contribution in this House he did say that the Government felt morally obliged that these cases they would consider that they had a moral obligation to pay this amount? Is that still the position?

HON DR R G VALARINO:

Mr Speaker, I thank the Hon Member for his comments. A Study Group has been set up now and they will look at the whole question.

MR SPEAKER:

Next question.

NO. 274 OF 1986

ORAL

THE HON R MOR

What has been the total amount of pensions paid to Spaniards up to 30 November, 1986?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

The total amount of pensions paid to Spanish nationals up to 30 November 1986, was £6,149,793.68.

SUPPLEMENTARY TO QUESTION NO. 274 OF 1986

HON R MOR:

Mr Speaker, should there be any shortfall at the end of the year in providing funds will this be met by the Gibraltar Government or by the UK Government?

HON DR R G VALARINO:

Mr Speaker, judging by this if he divides this by eleven and multiplies by twelve he will realise that there will be no shortfall this year.

MR SPEAKER:

Next question.

NO. 275 OF 1986

ORAL

THE HON R MOR

Are Government introducing legislation in this House to allow persons medically retired to claim Unemployment Benefit even if their last contributions as employed persons were made over six months previously?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, it has not been possible to bring the necessary legislation to this meeting of the House due to delays in printing. It should appear in the Agenda for the next meeting of the House.

SUPPLEMENTARY TO QUESTION NO. 275 OF 1986

HON R MOR:

Mr Speaker, would Government be prepared to consider retrospection in this case?

HON DR R G VALARINO:

Mr Speaker, if I remember correctly I mentioned the word retrospection in the last answer I gave to the Hon Member when he asked this at the last meeting of the House.

HON R MOR:

Mr Speaker, would the Hon Member confirm then that he is prepared to give retrospection to this legislation?

HON DR R G VALARINO:

It would certainly be my wish, I cannot commit myself at the moment because I would have to look at the past records but should there be any change I will let the Hon Member know.

MR SPEAKER:

Next question.

16 12 86

NO. 276 OF 1986

ORAL

THE HON R MOR

Can Government state what is the result of the review of the Single Parents Allowance and what other steps are Government taking to alleviate their problems?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

The Single Parents Allowance paid under the Supplementary Benefit Scheme will be increased to £8 per week as from the end of the year. Following a meeting held last week with members of the Women's Association who are now representing the interests of Single Parents, consideration is being given to a number of points raised by them.

NO. 277 OF 1986

ORAL

THE HON MISS M I MONTEGRIFFO

In the light of the recent problems faced by residents of Mount Alvernia over the breakdown of the lift, will Government undertake to provide the necessary support to ensure that similar situations are avoided in future?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Sir, the Government has no obligation to undertake routine or breakdown maintenance on these lifts. However, depending on the merits of the case the Government would consider instructing the Public Works Department to provide assistance, if so requested.

SUPPLEMENTARY TO QUESTION NO. 277 OF 1986

HON MISS M I MONTEGRIFFO:

Mr Speaker, if the Minister is saying 'if so requested' then it is up to the authorities of Mount Alvernia to actually contact the Government. Does the Minister not consider that the Government have the resources available and that they should offer these resources to their senior citizens as a moral obligation?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I did not catch the first part of the question. Would the Hon Member please repeat it?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I have said that the Government have the resources available to offer the residents of Mount Alvernia. Do they not consider that it is their moral obligation to offer these resources to them?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I was not aware of the problems with the lifts until I heard it over television when the matter was almost resolved. As I have said in my answer, if the Board of Management of Mount Alvernia after approaching any individual company and the company itself hasn't got the resources available in Gibraltar and the Public Works Department has, we will make a special case and we will gauge and measure the request to see if it is a genuine request or not.

NO. 278 OF 1986

ORAL

THE HON J C PEREZ

Can Government state whether the ash chute at Europa Point is currently being used for refuse disposal?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 278 OF 1986

HON J C PEREZ:

Mr Speaker, can Government state whether it has been used recently and why?

HON MAJOR F J DELLIPIANI:

Mr Speaker, there was a certain amount of disposal of refuse at the ash chute at Europa Point during the maintenance period of the refuse incinerator during the month of November. The maintenance has been completed and the refuse incinerator is now working. The question from the Hon Member seems to imply that this is the first time that this has happened. I would like to make it known to the Hon Member that we only have one refuse incinerator which has been working for many, many years and every year since it started there has been a period of maintenance when refuse has had to be dumped at the ash chute at Europa Point. No machine can work forever without any maintenance.

HON J C PEREZ:

Mr Speaker, I am glad for the Hon Member's comments about the fact that we have one refuse incinerator. Could he confirm that it is not Government policy to use the chute except in exceptional circumstances?

HON MAJOR F J DELLIPIANI:

Apart from the maintenance problems we also had to use it during the recent strike by the refuse incinerator personnel.

HON J C PEREZ:

Mr Speaker, is the Hon Member aware that the last time that

they used it this resulted in the surrounding area of the chute being littered with refuse and papers and so on?

HON MAJOR F J DELLIPIANI:

Mr Speaker, of course I was aware and made it a point of visiting the area. It so happened that during the time we were disposing refuse at the chute in Europa there was a very heavy levant which was bringing most of the light refuse back onto the road.

HON J C PEREZ:

Has Government taken any steps to clean up the area in question?

HON MAJOR F J DELLIPIANI:

The Government immediately the wind changed to a westerly wind because it was impossible for the men to work under the conditions prevailing with the easterly wind, undertook a major operation which cleared up all the area.

MR SPEAKER:

Next question.

16 12 86

NO. 279 OF 1986

ORAL

THE HON J C PEREZ

Can Government state when they intend to commence road resurfacing works in Main Street?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

This year's programme provides for the resurfacing, in early 1987, of the south section of Main Street ie from the Convent to Referendum Gate. The Main Street section from Engineer Lane to City Mill Lane will be resurfaced in the next Road Programme, when the building developments are nearer completion.

NO. 280 OF 1986

ORAL

THE HON J C PEREZ

Can Government state whether it has given written permission to Gunac Limited to sub-let, transfer or assign directly or indirectly any part of the work on the Tower Blocks to any other company, and if so, what work and to which company?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Under Clause 17 of the Joint Contract Tribunal Standard Form of Contract, Government empowered Gunac Ltd, by letter dated 13 November, 1984, to employ sub-contractors as necessary to execute work in accordance with the contract documents.

Subsequently, Gunac Ltd assigned the balcony windows sub-contract for Constitution House to their sister company Concrete Proofing Co in the UK. As the latter did not have a trade licence in Gibraltar, the supply and fixing of the balcony windows was handled in Gibraltar by the Das Aluminium and General Welding Co Ltd.

In the case of Referendum House, Gunac Ltd requested and obtained written permission to subcontract the supply and fixing of the balcony windows, to the Bahia Glass Co Ltd of 31/2 Irish Town, Gibraltar. This firm has a valid Trade Licence.

SUPPLEMENTARY TO QUESTION NO. 280 OF 1986

HON J C PEREZ:

Mr Speaker, since the Hon Member has now accepted that sub-contract work was actually given to the Concrete Proofing Co Ltd, can the Hon Member state whether Clause 17 which he has quoted substitutes for the requirements of Clause 7A, paragraph 4(a) where they need to be given permission?

HON MAJOR F J DELLIPIANI:

Mr Speaker, as I see it all the clauses under the terms of contract were laid aside by the letter from the Director of Public Works empowering the main contractor to employ sub-contractors as necessary to execute work in accordance with the contract documents. The fact that one particular company

did not have the licence and immediately subcontracted it to another shows that the spirit of both the contract and the letter was kept.

HON J BOSSANO:

Mr Speaker, does the Hon Member then say that by virtue of that letter there was no further requirement on the part of Gunac to clear the subcontractor that was going to do the work with the Public Works Department as is normal practice?

HON MAJOR F J DELLIPIANI:

As I read the letter, yes, but as the spirit of how the work was carried out it has clearly shown that once the main company, Gunac, were aware that the Concrete Proofing Company in UK did not have a licence for Gibraltar the contract was subcontracted to a local company.

HON J BOSSANO:

Mr Speaker, isn't this answer in conflict with the answer the Hon Member gave in the last House of Assembly where he said that, in fact, there had been no subcontract to the UK firm and therefore the question of the trade licence did not arise because the UK firm was a subsidiary of Gunac and consequently there was no transfer or assignment of the contract?

HON MAJOR F J DELLIPIANI:

I don't think so, Mr Speaker, because first of all the company in question, if I remember rightly, was Concrete Roofing which did not exist in my books, the company in question is called Concrete Proofing. I did say that whether it existed or not, as it formed part of the main company I had no objections to the matter. I thought it was just a question more or less of in-house paperwork for the purposes of taxes but not for the purposes of working in Gibraltar without a trading licence and the fact that as soon as they realised that they didn't have a trade licence and subsequently gave the work to a local company showed the company's good intentions.

HON J BOSSANO:

Mr Speaker, was the Hon Member in possession of the information that he is now giving the House at the last meeting of the House?

HON MAJOR F J DELLIPIANI:

Sir, no, obviously not. At the last meeting of the House the question referred to Referendum House and to a company by the name of Concrete Roofing which was not known to me.

HON J BOSSANO:

So, in fact, the Hon Member was not aware until now that Gunac had subcontracted the work to this other company who in turn had passed it on to the local company and was not able to obtain that information when the matter was raised the last time, is that what we are being told?

HON MAJOR F J DELLIPIANI:

That is exactly what I am saying, this is why I am giving the information now.

HON J C PEREZ:

Mr Speaker, could the Hon Member clarify whether now that he is satisfied that the subcontract was actually passed on to the Concrete Roofing Company and he has, in fact, been playing with words but he did on the 13th November write to me about the Concrete Roofing Company notwithstanding that the question I put originally referred to the Roofing Company, could he confirm that the legal liability for any problems related to the work carried out rests with Gunac and not with Concrete Roofing Company?

HON MAJOR F J DELLIPIANI:

Mr Speaker, the Hon Member's questions are not in fact related to any involvement by Gunac Limited into any unauthorised works carried out. I am very much aware that the Hon Member's questions are related to a dispute between the subcontractor and the main contractor, Gunac Limited, and I am not prepared to admit to any liability either morally or legally where the Government is involved in a Court action between two different companies.

HON J C PEREZ:

Mr Speaker, I am not asking the Hon Member that the Government should accept liability but since he has accepted that Concrete Roofing Company Limited which is a firm not registered in Gibraltar but registered in UK and as he has admitted rightly not holding a trade licence, since he accepts that the subcontract work was passed on from Gunac to the Concrete Roofing Company Limited who in turn passed

it on to Das Aluminium, Mr Speaker, can he state who has the legal liability for that contract if anything goes wrong with it?

MR SPEAKER:

With respect, it is not for the Minister to apportion blame for legal liabilities in any case.

HON J C PEREZ:

I am not asking the Hon Member to apportion blame or otherwise, I am not asking that. I am asking him that within the contract of the Tower Blocks, if anything were to go wrong whose liability is it?

MR SPEAKER:

That is a matter of interpretation which is not for the Minister to give an opinion on.

HON J C PEREZ:

But perhaps for the Government, Mr Speaker, they do have an Attorney-General.

MR SPEAKER:

On advice but this is not the proper time to ask for it.

HON J BOSSANO:

Mr Speaker, we are talking about public money having been spent and going from the Government to a company that was awarded a contract and in turn part of that work being assigned to a company in UK as a result of a letter from the Public Works. Is the Government not obliged to make sure that the money is going to the people who did the work and is it not concerned that there should be any complications in that area?

MR SPEAKER:

That is another question that can be asked.

HON MAJOR F J DELLIPIANI:

Sir, the Hon Member, Mr Perez, phoned me some time ago saying that he had evidence to show that there was another

company involved in subcontracting which differed from the information I gave to him and he asked that he should meet me to discuss the matter. I answered that if he had any information which was of interest to the Government he should write to me or to any Member of the Government and pass that information to show cause whether there was any illegality in the contract. I am still waiting for that letter and I think the whole matter could have been better served in the privacy of correspondence rather than airing this matter which I think is of a delicate nature and could influence things in the Court.

HON J C PEREZ:

Mr Speaker, what I wanted to clarify to the Hon Member with regard to his letter to me of the 13th November was that the Concrete Proofing Company Limited was, in fact, involved because until today he hasn't admitted that the Concrete Proofing Company Limited was involved and on the 13th November he told me and if I may quote his letter: 'I reiterate that my reply was absolutely correct and that Gunac Limited has confirmed that Concrete Proofing Limited is in no way engaged. Consequently, the question of Concrete Proofing Company Limited not having a trade licence does not arise'. This is in complete contrast with what the Hon Member has told us today and the evidence that I had to offer the Hon Member is the contract itself which I have here in.....

MR SPEAKER:

Order, order, we are making statements now. We have got to the stage when I don't think any further purpose will be served by pursuing the matter.

HON J C PEREZ:

Could the Hon Member answer the last question from my colleague, the Leader of the Opposition?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I have already said so. When the Proofing Company realised that they didn't have a licence the contract was awarded to a local company so they didn't actually work in Gibraltar.

MR SPEAKER:

We will leave it at that. Next question.

NO. 281 OF 1986

ORAL

THE HON J L BALDACHINO

Can Government state when they expect completion of the Alameda Bedsitters?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Yes, Sir. The completion date is late February 1987. I should however, point out that the units in question are not bedsitters but 2 RKB.

NO. 282 OF 1986

ORAL

THE HON J L BALDACHINO

Can Government state how many flats will 19, Willis's Passage be composed of after the completion of the rehabilitation programme?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Yes, Sir. The scheme will provide for 2 units of 4 RKB and 1 unit of 3 RKB.

SUPPLEMENTARY TO QUESTION NO. 282 OF 1986

HON J L BALDACHINO:

Mr Speaker, is there any variation from this composition since the original tender was put out?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I am not aware of any variation. The information I have is that before this building was composed of eight by one room units.

HON J L BALDACHINO:

Mr Speaker, can the Hon Member then explain why it is costing £37,000 more than when it was originally put out to tender?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I have no idea but if the Hon Member wishes I will write to him on the matter.

MR SPEAKER:

Next question.

THE HON MISS M I MONTEGRIFFO

Has Government got any policy in relation to the potential threat posed by Acquired Immune Deficiency Syndrome (AIDS)?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

The policy for local implementation in dealing with Acquired Immune Deficiency Syndrome (AIDS) is that UK procedures will be followed.

SUPPLEMENTARY TO QUESTION NO. 283 OF 1986

HON MISS M I MONTEGRIFFO:

Mr Speaker, can the Minister confirm whether we have equipment here for screen testing?

HON M K FEATHERSTONE:

No, we haven't got the equipment at the moment, we are considering bringing it.

HON MISS M I MONTEGRIFFO:

When does the Minister expect the equipment to arrive in Gibraltar, Mr Speaker?

HON M K FEATHERSTONE:

I would think it should arrive within eight weeks. It is rather expensive equipment and it has rather a limited life.

HON MISS M I MONTEGRIFFO:

Mr Speaker, has the Government implemented any procedures in relation to our nursing staff and the emergency services?

HON M K FEATHERSTONE:

Unless the nursing staff are actually intimately connected with the blood of a person who is suffering from AIDS there is not very much danger to them.

HON MISS M I MONTEGRIFFO:

Mr Speaker, is the Minister aware that we have special equipment today like, for example, syringes which reduce the dangers of contamination and is the Minister prepared to order this equipment for our medical services?

HON M K FEATHERSTONE:

Yes, Sir.

HON M A FEETHAM:

Mr Speaker, the Hon Member has said that he will be following UK practice. Is Government considering distributing to Gibraltar households the leaflet which in Britain is going to be distributed to every household over there?

HON M K FEATHERSTONE:

We are considering setting up a Committee to look into all aspects of AIDS including the screening test most applicable as well as running an educational campaign.

HON R MOR:

Mr Speaker, having been recently to UK, there is a massive campaign there on the question of AIDS, is Government intending to do any similar thing here?

HON M K FEATHERSTONE:

We will have an educational campaign here, yes.

HON M A FEETHAM:

Mr Speaker, I don't want to labour too much on this but the British Government has gone to a great deal of expense and obviously worthy expense of providing a leaflet and a brochure which is going to be distributed to every household in Great Britain. It would not be beyond the realms of possibility that that particular brochure or leaflet could be purchased by the Gibraltar Government and distributed to every household in Gibraltar which is something that could be put into immediate effect.

HON M K FEATHERSTONE:

That is a possibility we will investigate, yes.

MR SPEAKER:

Next question.

THE HON MISS M I MONTEGRIFFO

Can Government state how many private patients have made use of St Bernard's Hospital in the last 12 months?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, five hundred and fifty-four private patients made use of St Bernard's Hospital over the last twelve months.

SUPPLEMENTARY TO QUESTION NO. 284 OF 1986

HON MISS M I MONTEGRIFFO:

Mr Speaker, does the Minister accept that there have been cases of people having serious illnesses diagnosed in time because they have decided to go privately and others who have gone publicly and it has been nearly too late for them for the doctors to do anything for them?

HON M K FEATHERSTONE:

I don't think that occurs very frequently. I don't know of any cases when this has happened.

HON MISS M I MONTEGRIFFO:

Mr Speaker, is he prepared to investigate these allegations?

HON M K FEATHERSTONE:

Yes, of course, if you will give them to me I will investigate them with pleasure.

HON MISS M I MONTEGRIFFO:

Mr Speaker, is the Minister prepared to put a limit on the number of private patients so that the public patients do not have to wait an average of what is happening today like six months for them to see a consultant?

HON M K FEATHERSTONE:

The number of private patients does not basically interfere with the public patients to any extent.

HON MISS M I MONTEGRIFFO:

Mr Speaker, the reports that I have is that the public patients are having to wait many months in order to be able to see a consultant. Is the Minister not aware of this situation?

HON M K FEATHERSTONE:

The question of an operation for a public patient may sometimes take a matter of weeks, I wouldn't say it is a matter of many months, unless it is an emergency operation when they are dealt with immediately but if you would like to give me details I will investigate it.

HON MISS M I MONTEGRIFFO:

No, Mr Speaker, I am not talking about an operation, I am talking about the fact that if a citizen wishes to go to St Bernard's to see a consultant if they go publicly they have to wait something like four or five months. Is the Minister not aware of this situation?

HON M K FEATHERSTONE:

I don't really see what that has to do with private patients in the Hospital. I was assuming when you said private patients you meant in the private corridor. If you meant private patients, people who have seen consultants privately, then I am afraid I haven't given you the right answer. I have given you the answer of the number of people who have used the beds in the private corridor.

HON MISS M I MONTEGRIFFO:

No, Mr Speaker, I am talking about the other situation where people want to see a consultant publicly and they are told that it takes months for them to see them and then people decide to go privately. That is the situation at the moment, Mr Speaker, and I would urge the Minister, is he prepared to investigate this and can he give a commitment to the House that he will place a limit on the number of private patients so that the number of public patients do not suffer as a consequence?

HON M K FEATHERSTONE:

The position is that the consultants are permitted to see a percentage of private patients, a percentage of the number of public patients they see, as private patients. That percentage has been slightly increased recently because the number of clinics they are doing for public patients has also been increased. But that is part of the terms of their contract. I will try and find out for the Hon Questioner the number of patients who have seen the consultants as a private patient rather than the figures I have given you which refer to the private corridor.

HON MISS M I MONTEGRIFFO:

Mr Speaker, if the Minister investigates and he finds out that it is the case that public patients are being told that they have to wait many months before they can see a consultant, is he prepared to put a limit on the number of private patients?

MR SPEAKER:

We are extending the ambit of the question but, anyway, if the Minister is prepared to answer the question, fair enough.

HON M K FEATHERSTONE:

I can only say that the terms of contract of the consultants is that they are allowed a percentage of their time to see private patients.

HON J L BALDACHINO:

Can the Hon Member state what is the percentage?

HON M K FEATHERSTONE:

It is supposed to be 10%.

HON J C PEREZ:

Would the Hon Member agree that if a person needs to see a consultant, waiting two to three months for an appointment with the consultant is not satisfactory?

HON M K FEATHERSTONE:

This has been looked at by the team that has come to visit Gibraltar recently. I won't say it is satisfactory that a person should have to wait two or three months but it is in a far better state than in the United Kingdom where you often have to wait two or three years.

MR SPEAKER:

Next question.

THE HON MISS M I MONTEGRIFFO

Can Government state what fees are being charged to dependents of frontier workers in respect of Medical Services?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Mr Speaker, no fees are charged to dependents of frontier workers in respect of Medical Services.

SUPPLEMENTARY TO QUESTION NO. 285 OF 1986

HON MISS M I MONTEGRIFFO:

Mr Speaker, are there not people who are dependants of frontier workers who have received bills because they have gone to St. Bernard's Hospital?

HON M K FEATHERSTONE:

No, Sir, frontier workers if they are attended in Gibraltar should be completely free. As far as the dependants of frontier workers are concerned they are treated in Spanish hospitals and the bills will be paid for by Gibraltar in due course through an international agreement.

HON MISS M I MONTEGRIFFO:

But, Mr Speaker, has the Minister not, in fact, received letters from me in relation to dependants of frontier workers who have been billed in Gibraltar because they have come to our Hospital?

HON M K FEATHERSTONE:

They shouldn't have been billed.

HON MISS M I MONTEGRIFFO:

Mr Speaker, the fact is that they have been billed. Is the Minister prepared to reconsider the decision where they have been told that they have to pay in instalments?

HON M K FEATHERSTONE:

Yes, of course.

NO. 286 OF 1986

ORAL

THE HON MISS M I MONTEGRIFFO

Will Government consider extending the provision of free prescriptions to senior citizens and chronic patients, such as diabetics, who require constant medication?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Government has been considering the question of providing additional relief to persons on low income who are exempted from the payment of contributions to the Group Practice Medical Scheme. This was raised by the representative of the Gibraltar Trades Council at a recent meeting of the Board of Management for the Medical and Health Services.

There are currently 1174 persons registered with the Group Practice Medical Scheme whose total income from all sources is equal to, or below, the rate of Old Age Pension payable under the Social Security Ordinance. These persons are exempted from the payment of the registration fee but have hitherto been required to pay doctors fees for house calls and the fee on items of medicines prescribed.

Government has now decided that such persons should be exempted both from the payment of doctors' fees for house calls and the payment of prescription fees.

There are no plans at present to extend the provision of free prescriptions beyond this.

SUPPLEMENTARY TO QUESTION NO. 286 OF 1986

HON MISS M I MONTEGRIFFO:

Mr Speaker, so after that long answer the answer is no, is that correct?

HON M K FEATHERSTONE:

It is not, no, it is a qualified answer that certain persons who have been paying before are now going to get away with it free but we are not extending it to diabetics as perhaps the Hon Member would wish.

HON MISS M I MONTEGRIFFO:

So the answer is no, Mr Speaker?

HON M K FEATHERSTONE:

A qualified no.

MR SPEAKER:

Next question.

THE HON MISS M I MONTEGRIFFO

What plans does Government have for extending geriatric care within the community?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

The current Review of the Medical Services and the Review of the Nursing Grades are expected to carry recommendations on the extension of care within the community, including geriatric care.

When the reports are submitted and studied, Government will finalise its plans on the extension of care within the community.

SUPPLEMENTARY TO QUESTION NO. 287 OF 1986

HON MISS M I MONTEGRIFFO:

Mr Speaker, can the Minister give a commitment to the House that if the review team make recommendations in this area he will not be telling me what he has been telling me since 1984 that no finances are available for this?

HON M K FEATHERSTONE:

Without pre-empting what the review team say, they say that our geriatric care is greater than they would, I think, recommend. They would recommend a geriatrician and that more people should be dealt within the homes than are at the moment done and less people in the Hospital.

HON MISS M I MONTEGRIFFO:

I am glad for that answer, Mr Speaker, because does the Minister accept that he has been telling the House that he is committed to expanding the nursing domiciliary service?

HON M K FEATHERSTONE:

That is one of the points that will be put to us by the review team.

HON MISS M I MONTEGRIFFO:

Is he committed to expanding it, Mr Speaker?

HON M K FEATHERSTONE:

No, I am not committed, I will have to wait and see what is recommended.

HON MISS M I MONTEGRIFFO:

But then, Mr Speaker, he has changed his mind because in 1985 he told me he was committed to expanding it.

HON M K FEATHERSTONE:

We have taken this review with the intention of seeing what is best for the Medical Services in Gibraltar. If they say it should be expanded then I will continue with the committal, if they feel that we should not expand then I will have to seriously consider their recommendations.

HON J C PEREZ:

Mr Speaker, hasn't the Hon Member just said that that is one of the points that the team is to recommend? Does he know what the team is going to recommend or is he awaiting their recommendations because it seemed to me he had knowledge of everything the team is going to recommend?

HON M K FEATHERSTONE:

Of course we are awaiting the recommendations. They have only given me a quick rundown of some of their suggestions, that is the one I gave the Hon Questioner.

NO. 288 OF 1986

ORAL

THE HON J L BALDACHINO

Can Government state whether they are now in a position to state under what authority was Clause 1G, which allows the transfer of points between persons residing in the same house, removed from the terms of reference of the Housing Allocation Committee?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, Clause 1G has not been removed from the terms of reference of the Housing Allocation Committee, as indicated in my reply to the Honourable member to his question No. 249 of 1985. However, the Housing Allocation Committee, on the advice of the Housing Manager, are no longer applying it, on the grounds that the transfer of pointage from one applicant to another was rendering the pointage scheme open to manipulation on the part of the applicants.

SUPPLEMENTARY TO QUESTION NO. 288 OF 1986

HON J L BALDACHINO:

Is the Hon Member satisfied that the alterations to Clause 1G or the way it is being applied now is within the terms of reference of the Housing Allocation Committee, Clause 1G of 1972, is the same requirement or is there a variation and therefore needs altering and therefore he has to come to this House?

HON M K FEATHERSTONE:

I think, Sir, the situation with Clause 1G is a very difficult situation, it gives rise to a number of anomalies in which severe criticism is levied against the Housing Allocation Committee and the Housing Section as such where Clause 1G has been applied and that is the main reason why the Housing Allocation Committee feels that it should no longer be applicable.

HON J L BALDACHINO:

I understand the problem they have with Clause 1G but what I am asking is that the Housing Allocation Committee is formed because it comes under the Housing (Special Powers) Ordinance Clause 3(1) and therefore it also comes under Section 30(1)(c). The terms of reference were brought to this House, surely if they want to change the terms of reference of the Housing Allocation Committee then they should come to this House and not do it themselves?

HON M K FEATHERSTONE:

We are at the moment looking into a completely new scheme for the allocation of housing points which will come to the House and this will be one of the points with it.

HON J L BALDACHINO:

Mr Speaker, I understand what the Hon Member is saying but the Hon Member is not answering my question. I am asking if they have changed the terms of reference which in this case is Clause 1G. Surely they cannot do it themselves, they have to come to this House for the resolution as is stated in Section 30(2).

HON M K FEATHERSTONE:

They have not changed the terms of reference, Sir, but they are not applying them.

HON J L BALDACHINO:

Mr Speaker, you cannot have something in the terms of reference which is there for people if they want to use it and not apply it just like that, surely if it is there they have to apply it, if they do not want to apply it they should come here and ask for the change.

HON M K FEATHERSTONE:

I think under the terms of reference of the Housing Allocation Committee they have a certain discretion of what is applicable and what is not applicable.

HON J L BALDACHINO:

Mr Speaker, if it is brought to the notice of the Hon Member in further correspondence that this is not under the terms of reference, will he think of bringing it to the House if it has to be brought to the House to change it?

HON M K FEATHERSTONE:

Yes, Sir.

MR SPEAKER:

Next question.

16 12 86

NO. 289 OF 1986

ORAL

THE HON R MOR

Have Government now amended the regulations to allow Rent Relief for private tenants in furnished accommodation?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

No, Sir, not yet. The necessary amendments to the Landlord and Tenant (Rent Relief) (Terms and Conditions) Regulations are currently being drafted and it is anticipated that it will be implemented at the beginning of the Financial Year 1987/88.

NO. 290 OF 1986

ORAL

THE HON J C PEREZ

Have Government now considered the offer by the MOD to make available the USOC Hockey pitch for coach parking?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Yes, Sir, the offer has now been considered. Because of the incompatibility of the proposed shared use, the Government is looking for a better alternative to ameliorate the problem of parking near the City Centre.

SUPPLEMENTARY TO QUESTION NO. 290 OF 1986

HON J C PEREZ:

Could the Hon Member confirm whether the joint use has to do with the fact that it is being used by sporting organisation?

HON A J CANEPA:

The proposed shared use is that it be used as a coach park during weekdays up to 5 pm only and then in the evenings and at weekends it would revert to a recreational or sporting use and the concern that we have in this respect is that the oil or fuel spillage which the coaches are likely to cause will result in damage to the playing surface.

HON J C PEREZ:

If alternative sites or alternative allocations were to be found to those sporting organisations using it, couldn't the Government convince the MOD to release it altogether?

HON A J CANEPA:

They allege at the moment that the use for recreational and sporting purposes that is being made is quite considerable particularly by the schools up until 4.15 in the afternoon and I think that alternative allocations for schoolchildren particularly in respect of schools situated in the town area might be difficult.

HON J C PEREZ:

Mr Speaker, since in the last question on the subject of parking

the Hon Member said that one of the Naval Ground pitches had already been turned down and now it appears that the USOC pitch will not become available either, could the Hon Member perhaps give an indication of what alternative sites the Government is thinking of for the MOD to release in this respect?

HON A J CANEPA:

Insofar as Naval Ground No.2 is concerned, the Ministry of Defence say that at the moment the Royal Navy in particular make considerable use of it when the ships call in at Gibraltar and we are investigating the possibility of re-providing Naval Ground No.2. This would entail reclamation on the foreshore of HMS Rooke and because of this aspect of reclamation and other reclamation proposals that are being considered in the commercial port including, for instance, Montagu Basin, there is a working party of officials and technical people of the Ministry of Defence and the Public Works which has recently been set up in order to determine the extent of reclamation that there can be in the harbour without causing silting up of the harbour which would make it difficult for the Navy to carry out their operational requirements. It is against that background that the use of No.2 Naval Pitch for parking purposes is being considered.

HON J C PEREZ:

Mr Speaker, doesn't the Hon Member agree that the arguments of the Ministry of Defence are a bit flimsy in respect of the fact that they need all the pitches that they have available for the use of sport when in fact in most cases No.2 Ground is used by the Navy which is not here on a permanent basis? I presume that the Hon Member or the MOD is talking about the use that the Navy makes of the pitch when ships are in port and couldn't they make use of the Europa Point pitches that they have and of Naval Ground No.1 and leave Naval Ground No.2 for the use of the people of Gibraltar?

HON A J CANEPA:

Insofar as the Europa pitches are concerned they say that they have a problem of transportation. I find that difficult to believe because I see, in particular, that the Royal Navy have got very many large buses but, put it this way, at the moment the line that they take is that they have a continuing use for Naval Ground No.1 and that therefore they cannot release it and that they would only be able to release it on a re-provisioning basis.

MR SPEAKER:

Next question.

NO. 291 OF 1986

ORAL

THE HON M A FEETHAM

Will Government reaffirm its intentions of ensuring that the Multi Storey Car Park complex to be built at the Casemates Triangle has parking spaces for 400 vehicles for the general use of the public?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Yes, Sir. The Government's intentions remain as stated by me in the House on previous occasions.

SUPPLEMENTARY TO QUESTION NO. 291 OF 1986

HON M A FEETHAM:

Will the Hon Member also give a commitment to this House that none of the parking spaces will be sold off privately which would defeat the whole object of the Multi-Storey Car Park?

HON A J CANEPA:

That none of the parking spaces will be sold off privately? I think the intention is to have a car park there where people will be able to come in and go out, this is the intention, to have mobility. I think this was always the intention. I will check into the conditions to ensure that that is the case but that has been my understanding.

HON M A FEETHAM:

Both sides of the House are fully aware of what the understanding is. All I want is a commitment that, in fact, there will be no changes and none of the car parking spaces will be sold off privately.

HON A J CANEPA:

What I have to do is to check that the terms and conditions haven't got any loopholes. If there is no loophole that is the policy.

MR SPEAKER:

Next question.

NO. 292 OF 1986

ORAL

THE HON M A FEETHAM

Will Government state what is the present position regarding the dispute between the Government and IES regarding the development of the old Petrol Station site at Corral Road?

ANSWERTHE HON THE ATTORNEY-GENERAL

All outstanding issues have now been resolved and a new licence agreement is about to be executed requiring the Company to complete the development within 24 months. Planning approval has also been obtained and the works are programmed to commence in May, 1987 and are due to be completed by February, 1988.

SUPPLEMENTARY TO QUESTION NO. 292 OF 1986

HON M A FEETHAM:

Could the Hon and Learned Member opposite say what outstanding amounts of money were, in fact, paid off by the company in accordance with the settlement letter of the 24th March, 1985?

HON ATTORNEY-GENERAL:

I cannot off the cuff but I can let him have that information outside the House.

HON M A FEETHAM:

Could he also confirm, for the benefit of the House, that IES have changed shareholders and you were not dealing with the company that was originally given the development seven years ago which hasn't got off the ground but you were dealing with entirely new people in the late stages of the settlement with the Government?

HON ATTORNEY-GENERAL:

Yes, I believe on the last occasion this matter was raised in the House I said that the shareholders of the company had changed but we are dealing with International Engineering Services (Gibraltar) Limited.

HON M A FEETHAM:

But with entirely new shareholders?

HON ATTORNEY-GENERAL:

I believe so, I can again look at my files but I believe that the shareholding of the directors have changed, yes, I think that is so.

HON M A FEETHAM:

We can now take it that the new shareholders of the company which did not develop the area allocated to them have now because the development has changed hands, that Government has finally settled the dispute it had with the old shareholders of the company?

HON ATTORNEY-GENERAL:

On the 12th December my Chambers wrote to the arbitrator who was Mr Samuel Benady fixing an appointment to sign the heads of settlement and do all the formalities completing the arbitration proceedings which were brought by IES with the old directors and it will be settled with IES and the new directors so that the whole package, I hope, will be tied up very nicely in an arbitration meeting before the arbitrator when the various documents will be exchanged, the heads of settlement will be signed and the matter will be completed with IES (Gibraltar) Limited).

HON M A FEETHAM:

As a matter of information, is the Hon and Learned Member aware who the new shareholders are? Can he confirm what I said in the House last time that it is, in fact, a company called Comteco. Sociedad Anonima?

HON ATTORNEY-GENERAL:

I couldn't confirm it off the cuff but I will let him have that information, it is somewhere in the file as to who the directors are but, of course, we are not interested, Mr Speaker, in the directors, we are interested in IES (Gibraltar) Limited.

HON M A FEETHAM:

Mr Speaker, I know that we are interested in IES but it is the double dealing which has gone on. Will the Hon and Learned Member opposite not agree that a development which was awarded in 1979 which has not got off the ground, which has been sold off on speculation and the new shareholders have settled the dispute and the development will now hopefully see the light in two years time, that this is a matter of public interest and that we would like to know who the new shareholders are who have actually paid off the monies owed to the Government.

HON ATTORNEY-GENERAL:

That is a matter of public record. If I have the information in my files I will certainly have the Hon Member have it, Mr Speaker.

HON J C PEREZ:

Mr Speaker, could the Hon Member give this House a commitment that if there is any further breach of the contract between the Government and IES that the Government will take firm action in dealing with the matter and not drag the issue as they have done with the previous shareholders of the company?

HON CHIEF MINISTER:

The first part of the question is acceptable, the second one has an implication and therefore both of them are unacceptable unless the second one is removed.

HON ATTORNEY-GENERAL:

I will certainly give a commitment that I will act expeditiously on my instructions.

MR SPEAKER:

Next question.

NO. 293 OF 1986

ORAL

THE HON M A FEETHAM

What are the plans for the future use of the area of reclaimed land next to the Viaduct Causeway North side once this has been completed?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Final plans for the long term use of the area have not yet been formulated. In the short term consideration is being given for use as a temporary coach park.

NO. 294 OF 1986

ORAL

THE HON M A FEETHAM

Can Government confirm that it does not intend to proceed with the direct allocation of the Princess Caroline's Battery site?

ANSWER

THE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Yes, Sir. The Government has now fully considered the proposals and has agreed that if, and when, it decides to proceed with the development of Princess Caroline's Battery selective tenders will be invited.

NO. 295 OF 1986

ORAL

THE HON J L BALDACHINO

Can Government confirm that the flats which are going to be constructed at Engineer House are for Government rental?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

The flats planned to be constructed at Engineer House are intended for sale to Government tenants thereby affording Government the opportunity to test the viability of the new approach to housing which is being pursued by the Crown Lands Home Ownership Unit. An explanatory leaflet on Government's new approach has been produced and will soon be made available to the general public. I am circulating a copy to Honourable Members in advance.

SUPPLEMENTARY TO QUESTION NO. 295 OF 1986

HON J L BALDACHINO:

Mr Speaker, doesn't the Hon Member agree that the 600 flats which are going to be built at Montagu Basin more than caters for people who can buy and therefore, shouldn't the Government be concentrating in building flats for rental rather than for sale?

HON A J CANEPA:

These are for rental, not directly. The intention is that if there is a demand from people who are already in occupation of similar accommodation in other Government Estates, people who are willing to purchase these flats at Engineer House, then provided they release to the Government similar accommodation, the Government could then use that accommodation to allocate it to people on the waiting list so you would achieve the same result in the sense that if 45 units are built at Engineer House and they are sold, 45 units or more could be released elsewhere in Government Estates and allocated to people on the Housing Waiting List. Additionally, the Government will obtain funds from the sale of that accommodation and having regard to the fact that we are no longer assisted by ODA in building public housing, the recycling of these funds will enable the Government to keep up the momentum of a programme of flats built by Government and ultimately directly or indirectly intended for people on the waiting list.

HON J L BALDACHINO:

Can the Hon Member then state how much they are going to cost?

HON A J CANEPA:

I cannot say how much they are going to cost because we have to go out to tender but we are working on a figure which is lower than what the last Housing Estates at St Joseph's and St Jago's used to cost. They used to cost in excess of £40,000, we are hoping to be able to build 45 units at Engineer House below that. I say we are hoping, when we get the tender prices we might get a shock.

HON J L BALDACHINO:

So actually the Government themselves are not going to build them, they are going to put it out to tender and it will be a private contractor that will develop.

HON A J CANEPA:

That is what always happens. The Government never builds blocks of flats in Housing Estates by direct labour; they go out to tender.

HON J L BALDACHINO:

But in the last House, in answer to a question, the Minister for Public Works said that the money that was going to be used for the extra storeys at Laguna Estate was going to be used for Engineer House. Is that the position?

HON A J CANEPA:

There are site investigations which need to be carried out at Engineer House as a start to the project and I think the intention of the Public Works Department is to use the funds that have been voted in this House for the extra storey at Laguna to carry out these investigations.

HON J L BALDACHINO:

Mr Speaker, wasn't an investigation of the site already carried out? In the estimates of 1983/84, £2,900 for the use of site investigations. Is this a different type of investigation?

HON A J CANEPA:

I don't think that the figure mentioned by the Hon Member covers that, I don't think so. That may have been the funds that were, in fact, used to demolish the old Engineer House and perhaps clear the site for a temporary car park.

HON J L BALDACHINO:

The demolition cost £90,000. There was another figure of £2,900 for site investigations, is the Minister saying that that investigation is not the one that is going to be carried out?

HON A J CANEPA:

I think that what has to be done now is more thorough. I think that holes have to be bored and so on.

HON J BOSSANO:

Could I ask the Hon Member, Mr Speaker, is he saying that the intention of the Government is to offer those flats when they are constructed at the full cost of construction?

HON A J CANEPA:

Yes, I would say at the full cost to Government of construction.

HON J BOSSANO:

And if, in fact, the Government finds insufficient takers would they then be considering renting the flats?

HON A J CANEPA:

I think so, I think we would aim to be able to sell all of them or virtually all of them but I think if we had the kind of response that we have been prepared to contemplate for the sale of blocks of flats in other Housing estates by that I mean if we only had a response whereby only 50% were prepared to buy, I doubt whether we would go forward.

HON J L BALDACHINO:

May I ask one final question? The Government is still committed to build Government houses for rental or is that not the case anymore?

HON A J CANEPA:

The Government is building at the moment and we do hope to maintain a programme of houses for renting.

HON J BOSSANO:

Could I ask also, Mr Speaker, is it the case that in the project which is currently the subject of a feasibility study by the private sector there is, in fact, a situation where the flats if eventually built there would also be in the first instance offered to people who are existing Government tenants?

MR SPEAKER:

You can answer the question if you want to but it is a separate matter.

HON A J CANEPA:

It is a separate matter, I don't mind answering that, Mr Speaker, but not getting too involved on that separate issue. Yes, the intention is to give priority to people on the Housing Waiting List.

MR SPEAKER:

Next question.

THE HON J L BALDACHINO

Can Government state who can apply for pre-war dwellings that they are putting to tender for home owner occupation under the Rehabilitation Scheme?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Only persons eligible to apply for Government housing under the Housing Allocation Rules can apply for properties put out to tender under the redevelopment of Crown Properties Scheme.

SUPPLEMENTARY TO QUESTION NO. 296 OF 1986

HON J L BALDACHINO:

Mr Speaker, why is it then that in the tender form it states that British subjects or people qualified under Part IX of the Immigration Control Ordinance can apply including nationals of the Kingdom of Spain?

HON A J CANEPA:

Because, Mr Speaker, it is a requirement that applicants must additionally be entitled to hold land in Gibraltar and in order to satisfy this requirement that they be entitled to hold land they have to be either British Subjects or nationals or a Member State of the European Economic Community who have valid resident permits issued under Part IX of the Immigration Control Ordinance.

HON J L BALDACHINO:

Mr Speaker, but these people that the Hon Member has mentioned do not qualify for the Housing Allocation Scheme, how can this be implemented?

HON A J CANEPA:

It is an additional requirement. They must be eligible to apply for housing under the Housing Allocation Scheme, that is an all embracing requirement. In addition to that they must also be entitled to hold land.

HON J L BALDACHINO:

Mr Speaker, if a person is eligible for Government housing, isn't that a greater restriction than what the Hon Member is putting? Isn't it the intention that this should be for Gibraltarians more than anything else?

HON A J CANEPA:

No, I don't know what would happen with a Moroccan national, I imagine that if he is married to a Gibraltarian the wife is

entitled. There can be other nationalities who might be eligible to apply for housing, don't forget that the distinction is that someone who is registered as a Gibraltarian under the Gibraltarian Status Ordinance gets an additional number of points, that is all, but there are other nationalities who are entitled to apply for housing but unless they are British Subjects or members of the EEC they would not be entitled to apply under the Scheme.

HON J L BALDACHINO:

We are talking here of a valid residence permit which is a permit that you give to EEC nationals which is renewable every five years. In the Housing Allocation Scheme and this is where the qualification comes.....

MR SPEAKER:

I am afraid we are not going to try and explain regulations because we are debating now. Ask a question by all means.

HON J L BALDACHINO:

The difference between what is in this paragraph which is Section 12, the difference between that and the Allocation Scheme is that in one you have to have a resident permanent permit and in this one you don't. The difference is, for example, the Hon Attorney-General is not eligible for Government housing. Will he be eligible under this to buy or to put a tender for a pre-war dwelling?

HON A J CANEPA:

Well, if he doesn't come into the Scheme he is excluded. The all embracing requirement is that they must be eligible to be an applicant under the Housing Allocation Scheme, that is all embracing. There is an additional requirement but if the former is not met, if people are not eligible to be on the Housing Waiting List then they cannot participate in the Scheme.

MR SPEAKER:

You have been given an explanation and you can make of it whatever use you wish but we are not going to argue the point.

HON A J CANEPA:

The way that mathematicians would put it is that it is a not just a sufficient reason, it is a necessary reason, a necessary requirement.

NO. 297 OF 1986

ORAL

THE HON J L BALDACHINO

What is Government policy in respect of leases that expire in cases where property is rented as a dwelling house?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

With the aim of reducing Government's burden of repair and administration the policy is one of renewing the leases of private residences for 21 years provided that:-

- (a) the property is not affected by Town Planning (ie redevelopment, modernisation or urban renewal) or housing proposals,
- (b) the property has been well maintained during the previous lease and there is reasonable expectation that the lessee will be able to comply with his obligations under the new lease,
- (c) the property is required by the lessee for his own personal occupation and/or that of his married son or daughter,
- (d) the lessee is not allowed to assign the lease or sublet it wholly or in part, furnished or unfurnished,
- (e) the accommodation is reasonably suitable for the needs of the lessee and his family.

SUPPLEMENTARY TO QUESTION NO. 297 OF 1986

HON J L BALDACHINO:

In the case where the dwellings have been rented to other people in Gibraltar and it is not maintained in good condition, will the Government then put it out to tender?

HON A J CANEPA:

It could revert back to the Government whereupon the Government could decide if it could either retain it as a quarter for senior civil servants or consultants rather than have to rent expensive accommodation in the private sector, it could decide to use it for that purpose, or it might invite tenders afresh in order to let it out on the same basis as it has been previously.

THE HON J E PILCHER

Can Government state whether the Forward Planning Committee has decided on which Tourist Development will form part of the 1986/90 Development Programme for submission to ODA and which are going to be proceeded with but funded locally?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

The question of the unallocated balance of ODA funds, as indeed the whole funding of the programme, is the subject of final considerations by the Forward Planning Committee and therefore perhaps I should add that the details I am going to furnish the Hon Member with are still subject to change. To date, however, the following tourist development projects have been agreed on:

	£
(i) Nature Reserve	500,000
(ii) Improved access and toilet facilities to Upper Galleries	130,000
(iii) Improvements to St Michael's Cave Site	50,000
(iv) Embellishments at Europa Point (To take effect after Royal Engineers finish the opening of Nun's Well)	50,000
(v) Improvements to Air Terminal	50,000
(vi) Wellington Front Promenade (Phase I)	50,000
	<hr/> £830,000 <hr/>

The extent to which the unallocated ODA funds will be used for these is as yet undecided and is, in any case, subject to forthcoming discussions with ODA officials in January/February 1987.

SUPPLEMENTARY TO QUESTION NO. 298 OF 1986

HON J E PILCHER:

Mr Speaker, that is, I think, if I am not mistaken, the answer to the first part of the question on the projects which is still for final approval by the Forward Planning Committee but will be transmitted to ODA for funding by the unallocated funds of ODA. What about the projects which will be funded locally or are they both together?

HON A J CANEPA:

The exact funding of these projects has not been decided. It doesn't follow that we are going to submit all of these to ODA. The programme is being looked at comprehensively, there are three sources of funding: ODA, borrowing or transfer from the Consolidated Fund. How exactly the application of that will affect each individual project is not a matter that has yet been determined.

HON J E PILCHER:

But I can take it then, Mr Speaker, that all the decisions arrived at by the previous Committees on Tourism which were all brought into one single document, they have now been taken up by the Forward Planning Committee and these are the projects which they think should be proceeded with?

HON H J ZAMMITT:

Mr Speaker, if I may interject here. In addition to this there is an acceptance in principle by my colleagues to see what amount of money could be spent within this financial year and unfortunately it is impossible to spend what we were anticipating because of the planning and drawings and tender procedure which would not give us sufficient time but there are certain things that we can buy which is in the form of equipment for certain areas which we can purchase between now and the new financial year and that is going ahead though I cannot give a sum at this stage. I can say that Government had agreed in principle to a sum of something like £330,000. I should also say that some of the projects which my colleague has read out are, of course, in line with the recommendations of the Consultative Board.

HON J E PILCHER:

Let me get this straight, Mr Speaker. The £330,000 as explained by the Hon Minister for Tourism is unrelated to the £830,000 which is the decision of the Forward Planning Committee. What I am interested in obtaining is the information of how that £330,000 is going to be spent, in what projects, so that the Opposition can make an assumption to see whether we agree that the priorities which the Government has given are the same priorities that we would have given and, if not, obviously question the Government on their decision when, obviously, the Forward Planning Committee takes a decision.

HON A J CANEPA:

I think, as my colleague has said, in respect of the £330,000 earlier in this year set aside by the Government, I think the Hon Member can take it that because of the time left till the end of the financial year, it is not likely that any funds will be allocated to specific projects other than the ordering of equipment, so he will not see any physical work in respect of that sum of money and therefore for intents and purposes I think that we should proceed in the future on the basis of these projects that I have indicated.

HON J E PILCHER:

Am I correct in assuming therefore that the £330,000 which the Hon Minister for Tourism was referring to is for signposts and things like that which have already been spent during this financial year, general embellishment projects, things like that?

HON H J ZAMMITT:

No, Sir, the £330,000 did not include the improved signposting which has taken place already and little signs for the airport and the like is not part of the £330,000.

MR SPEAKER:

Next question.

NO. 299 OF 1986

ORAL

THE HON J. C PEREZ

Has the Forward Planning Committee made any recommendations regarding the future of the Piazza?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Yes, Sir. The Forward Planning Committee has recommended that the PWD proposed design, which has already been completed, should be put on public exhibition and comments invited.

SUPPLEMENTARY TO QUESTION NO. 299 OF 1986

HON J C PEREZ:

Is the Hon Member aware whether this plan envisages pulling down the surrounding walls of the Piazza?

HON A J CANEPA:

The proposals provide for the following alterations and improvements: (a) the total demolition of the concrete canopies, toilets, parapet walls around the perimeter of the Piazza and the existing bar facilities; (b) the reprovisioning of toilets and bar facilities in a new building which would be erected against the Western facade of the House of Assembly to match its style; (c) the resurfacing of the Piazza which will provide for retaining the Regimental badges; (d) general landscaping improvements including the planting of trees and hedges around the perimeter; (e) the alteration of the Western end of the Piazza to introduce wider flights of steps; and (f) the repositioning of the John Mackintosh statue and flagpoles. These proposals will be exhibited for the public and representations and comments will be invited.

HON J C PEREZ:

Mr Speaker, once representations and comments have been received and I presume that Mr Seruya, the President of the Chamber of Commerce, will have something to say on that, after all, it was his idea to build the Piazza in the first place, but once these comments have been received can the Hon Member explain the process that the whole thing needs to go through before a final decision is taken on whether something is actually going to be done about these beautiful plans or not?

HON A J CANEPA:

I don't know what the connection of Mr Seruya is with the coffin march, I think the Hon Member opposite must have been still in short pants at the time.

HON J C PEREZ:

If the Hon Member will give way, I did take part in the demonstration.

HON A J CANEPA:

The process that will be followed then will be that the comments received will be evaluated, discussed and I would imagine that both the Forward Planning Committee and the Development and Planning Commission will then be asked for their views on the matter and the final product will have to be costed, naturally, prior to implementation.

MR SPEAKER:

Next question.

NO. 300 OF 1986

ORAL

THE HON J E PILCHER

Can Government now state whether the report which looked into the Gibraltar Shiprepair operation will be made public?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, as is already public knowledge, the report commissioned by the Government has not been completed: only a draft report has been received.

Once the report has been fully studied and discussed the Government will be in a position to decide if it is prudent to make it public or not.

SUPPLEMENTARY TO QUESTION NO. 300 OF 1986

HON J E PILCHER:

Mr Speaker, it wasn't public knowledge that only a part of the report had been received, the Opposition thought that the whole of the report had been received. Can we obtain from the Hon and Learned Chief Minister information on the time-scale for the Government to receive the whole of the Price Waterhouse Report?

HON CHIEF MINISTER:

The information I have is that the Report itself will be available early in the new year.

HON J E PILCHER:

Just for clarification, is it a part of the Report which has been received or is it a draft summary of the Report?

HON CHIEF MINISTER:

I don't think it is a draft summary of the Report, it is a draft Report that could well be either shorter or longer than the one that will be finally produced.

HON J E PILCHER:

Perhaps I have used the wrong wording, Mr Speaker. Is it a summary of the main Report?

HON CHIEF MINISTER:

No, I think it is a draft of a report.

HON J E PILCHER:

So therefore as a consequence of that the Government are still giving the answer that they gave me at the last House which was that the Government would study it first and then consider whether they would make it public, that still applies?

HON CHIEF MINISTER:

That is exactly what I said in my reply. Once the report has been fully studied and discussed the Government will be in a position to decide if it is prudent to make it public or not.

HON J E PILCHER:

I must ask again whether there has been any change in the fact that the Government would release a copy to me as the Opposition spokesman on GSL on the matter?

HON CHIEF MINISTER:

Well, as is usual with reports of this nature which contain sensitive commercial information, the Government will have to judge, if it is possible to edit this information out of the report without making it a meaningless document. If the latter were to be the case there would be no point in making the edited version public. Following similar guidelines it might be possible that once the report has been studied Opposition Members would be given sight of it. It is too early to commit the Government on a particular course of action but the approach is exactly the same as before.

HON J E PILCHER:

Mr Speaker, may I remind the Hon and Learned Chief Minister that the contract between the Government and GSL which was also of a confidential nature according to them, I was allowed to see that report at the Secretariat.

HON CHIEF MINISTER:

I am not making any further limitations that I made last time, I have been trying to be more helpful, in fact.

HON J E PILCHER:

I think the point is the same as the Hon and Learned Chief Minister has made his point I think our point is that we do not accept that the Government has a right to issue a report paid by public funds and then keep it confidential from the people of Gibraltar and the Opposition.

HON CHIEF MINISTER:

I would like to take this opportunity of saying something which I have heard many times. It is, if I may say so with respect, nonsense to say that because the report is produced as a result of public funds that it has to be published. Governments have got reports of all kinds on all matters, for all that matter you might say all reports on defence and so on are paid out of public funds and are not made public. The principle is not the question whether they are paid out of public funds or not, the question is the public interest. But let me say that that in no way limits our desire to make as much information as possible available, if not to the public at large, certainly to the Opposition.

HON J BOSSANO:

Mr Speaker, I would like the Hon and Learned Member to clarify for me exactly what are the implications of the report that is currently in their possession being a draft and the final. Is it that the final will differ from the draft because it will take into account the Government's reaction to the draft?

HON CHIEF MINISTER:

No, not at all. I think, if anything, it will be for accuracy with regard to discussions with the company.

MR SPEAKER:

Next question.

NO. 301 OF 1986

ORAL

THE HON J BOSSANO

Will Government take steps to provide the necessary funds for an index to Hansard?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the Government's views have not changed on this matter since it was last raised in the Budget Session of 1981. The Government still feels that there is no need to provide a comprehensive index but is willing to provide funds if the House decides that such an index is necessary.

As Mr Speaker said to the Hon Major R J Peliza on Friday 24 April 1981, (page 283 Volume 2 of the Budget Hansard commencing 11 March 1981), quote, 'this is not a matter to raise with the Chief Minister, you should raise it with the Speaker.' I would suggest that you write a letter setting out what you feel should be done.' end of quote.

SUPPLEMENTARY TO QUESTION NO. 301 OF 1986

MR SPEAKER:

Perhaps I will intervene here and say to the present Leader of the Opposition what I said to Major Peliza. Could you perhaps write a letter suggesting what the requirements of the Opposition are and perhaps a sub-committee would be appointed to consider that. It is not easy to provide an index for Hansard, as you can well imagine, but there is no reason why an attempt should not be made.

HON J BOSSANO:

Can I ask the Government, Mr Speaker, whether I am correct in assuming that if it is, in fact, as a result of such discussion established that it is possible at a reasonable cost to provide for a system which will make access to records of recent debates or questions easier to get hold of and consequently the workings of the House better, for that purpose the Government will be prepared to support that?

HON CHIEF MINISTER:

Yes, I wasn't being facetious about the answer, I was just trying to be correct to what is a procedural matter of the

whole House as against a proposal of the Government to come here with funds if the whole House has decided that and with the help, of course, of Mr Speaker. There could be a simple index of subject matters, you could have all sorts of indexing. In those days for a matter like this it took five pages of Hansard to convince Major Peliza of what the Hon Leader of the Opposition has immediately caught up and that is the spirit of the fact that we ought to have a committee to look at it. I personally feel that it would be desirable to have a general index. If we go into a very detailed index then we are never going to be up-to-date and you are going to have an expert to provide it, the question of staffing and all that but, generally, in respect of subject matters and so on, yes, but we cannot have an exhaustive index which would cost a lot of money and would not be used. Generally, my own view is, yes, but let us look at it and perhaps the Hon Leader of the Opposition takes a hint of 1981 and writes to the Speaker about it. His predecessor who asked the question never did.

NO. 302 OF 1986

ORAL

THE HON M A FEETHAM

Is it still Government's policy that passports be required to be produced at the frontier?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the policy of this Government is to implement the normal requirements for personal and national identification as is required in every country. Basically, this can be satisfied by the tendering of a valid passport to the immigration authorities.

There are in existence, however, a number of bilateral or multilateral agreements to provide for other means of identification but I assume that the Honourable Member was thinking of the European Community and, in particular, Spanish Nationals, when he posed the question.

Member States of the European Community agreed that its citizens would be allowed to cross Community frontiers on production of a valid national identity document. As is well known, Great Britain does not issue such a document and its citizens travel on a passport although other Community Nationals may enter Britain with their national identity document.

When Spain was preparing to open the La Linea frontier to pedestrians a decree was promulgated allowing access through that frontier to British Passport holders residing in Gibraltar and to Spanish Nationals on production of a valid passport. Although the regime was liberalised subsequently for other nationalities, it was considered that the use of passports by British and Spanish nationals should continue. This was restated in the bilateral talks held in January 1985.

The Government considers that the added security afforded by the passport-issuing process is still the single most important consideration in examining this matter and does not propose to initiate a move away from the Agreement for the present.

SUPPLEMENTARY TO QUESTION NO. 302 OF 1986

HON M A FEETHAM:

I take it that what the Hon and Learned the Chief Minister is

saying is that it is Government's policy to continue with the present arrangement which was agreed between Britain and Spain at the time of the advancement of implementation of EEC rights?

HON CHIEF MINISTER:

That is so.

HON M A FEETHAM:

So that in itself confirms then that it is not Government's intention to follow the policy which Mr Seruya, on behalf of the Gibraltar Chamber of Commerce, has put to the Spanish Chamber of Commerce as a means of liberalisation of persons moving across the frontier that identity cards should be used. This is not something which the Government is going to adopt?

HON CHIEF MINISTER:

The Government has its own policy. What Chambers of Commerce talk about amongst themselves on matters which is not really their direct function in putting into effect is a matter for the media and for other purposes but we do not intend to depart from that practice.

MR SPEAKER:

Next question.

NO. 303 OF 1986

ORAL

THE HON M A FEETHAM

Will Government set up a programme of visits of European Members of Parliament to Gibraltar to acquaint them with Gibraltar's aspirations and problems in order to widen as far as possible support for Gibraltar in this forum?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, Lord Bethel, the Leader of the British Gibraltar-in-Europe Representation Group, has already been consulted on this matter. It is intended that the matter should be raised with the Group when the delegation of this House visits Strasbourg in February next year.

SUPPLEMENTARY TO QUESTION NO. 303 OF 1986

HON M A FEETHAM:

What we are actually being told is that it would be considered by Government but initial contacts will be made in due course as a result of a delegation visit in February?

HON CHIEF MINISTER:

I don't know why the Hon Member tries to interpret my simple replies in a different way. The Government is in favour of visits by Members of the European Parliament who are not British Members of the European Parliament. I am personally in touch with Lord Bethel, the Leader of the Gibraltar Representation Group in Europe, on this matter and I have spoken to him on several occasions and we have considered that a good opportunity to test the extent of interest that there might be is to issue invitations to Members when we go to Strasbourg in February and meet them all in their own Parliament.

HON M A FEETHAM:

Would the Hon and Learned Chief Minister accept a list which has been submitted to me by Members of the European Parliament of different political persuasions, from conservatives to socialists to social democrats, who have already indicated an interest to visit Gibraltar and will that be taken into account? This is a definite interest which would save time.

HON CHIEF MINISTER:

Yes, but I think what has happened is that Lord Bethel has been in touch with a number of Members who have shown interest and I have left it to him to give us a guide of appropriate candidates who we can see when we go there in order that we make sure that we get a cross section of representation of Members of the European Parliament here as a delegation of six or eight representing the various groups who show an interest in Gibraltar. There has been

a lot of homework done on that by the Gibraltar in Europe Representation Group and I have got the feedback from Lord Bethel that there is an element of interest and the Government is prepared, is ready and willing to provide the funds required for that.

HON M A FEETHAM:

So there is no harm done in Government actually accepting the list which has been submitted to me?

HON CHIEF MINISTER:

I have not seen any list.

HON M A FEETHAM:

What I am saying is I am prepared to submit the list.

HON CHIEF MINISTER:

Candidates will be considered from a cross section and if the Hon Member has got a list suggested by somebody in Parliament we will look at it with great interest, of course.

MR SPEAKER: .

Next question.

NO. 304 OF 1986

ORAL

THE HON M A FEETHAM

When does Government intend to bring to the House for final approval the Sex Discrimination Bill which received its First Reading on the 13th March, 1984?

ANSWERTHE HON THE ATTORNEY-GENERAL

As the House is aware the Committee and Final stages of the Sex Discrimination Bill have been held up pending the enactment of amending legislation in the United Kingdom to comply with a Judgment of the European Court.

On the 24th September last I was informed as follows:

"The Bill has had its First and Second Readings in the House of Commons, and has completed its Committee Stage. The Department of Employment expect that the Third Reading will be completed in the current Parliamentary session, and that the Bill will have completed its passage by mid November. London have undertaken to advise us when this occurs". Since then I have heard nothing but on receiving notice of this Question I have written asking to be informed of the latest position.

As soon as I have had the opportunity of studying the United Kingdom amending Act I will consider what Committee Stage amendments need to be made to the Bill presently before this House.

HON M A FEETHAM:

So we haven't got a definite date. What we are expecting is that when it is passed in the UK it will be brought to the House in line with the British version of the Sex Discrimination Act. Mr Speaker, when we discussed it here the position was that you wanted to make it tailor-made for Gibraltar's requirements and therefore as a result of that Government wanted further time to look at the Bill itself.

HON ATTORNEY-GENERAL:

Yes, but, Mr Speaker, if you remember, our Bill was based on the United Kingdom legislation and the United Kingdom legislation was deficient in three particular respects. We held our Bill back because we didn't want to enact defective legislation and so we held ours back until the United Kingdom amended

their legislation. When we see their legislation we will consider what Committee Stage amendments we have to make to our legislation. I am not going to say we are going to follow it exactly but we will certainly see what clauses of ours have to be amended in view of the United Kingdom amendments.