

GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

24TH MARCH, 1987

NO. 72 TO NO. 146

NO. 72 OF 1987

ORAL

THE HON J E PILCHER

Does Government now accept that the initial A & P Appledore proposals were over-optimistic in order to obtain the contract to manage Gibrepair?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

No, Sir. In making comparisons between the projections in the initial A & P Appledore proposals and subsequent developments it is important to take account of the changing circumstances between the time of the original submission and the commencement of commercial operations and, indeed, subsequently.

SUPPLEMENTARY TO QUESTION NO. 72 OF 1987

HON J E PILCHER:

Mr Speaker; with hindsight, have not certain of the assumptions made in the original proposals never been realised?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

That is true, Mr Speaker. With the benefit of hindsight I think one could endorse the view which was taken by Price Waterhouse in their Report that certain of the assumptions made in the original proposals have not been realised.

HON J E PILCHER:

In doing so, Mr Speaker, does not the Government accept that Price Waterhouse said that it was a tender document which, by force, had to be competitive and therefore did not address themselves to a lot of areas; projected sales, wages increases, general inflation, time-scale, overheads, does not the Government accept that at that time they were over-optimistic in all these assumptions?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The Government, obviously, has noted what Price Waterhouse has said and the Hon Member has quoted fairly accurately, I think, from the Report on this particular point. I think I would merely add that he has chosen one particular extract and that in a neighbouring paragraph Price Waterhouse, while they said, he has quoted them accurately on one account, on the

other they said that in general the proposal appears to have been based on reasonable assumptions given APA's knowledge of the world shiprepair market at the time and information made available to them together with the problems of access to the site when trying to formulate a capital expenditure plan. I think it is important to preserve a certain balance, Mr Speaker, in assessing the situation, I think Price Waterhouse have made a balanced report and, indeed, their comments on that particular issue were balanced. The Government has noted that.

HON J E PILCHER:

So, Mr Speaker, the Government do not believe that A & P Appledore were over-optimistic but rather that it was the circumstances that has led to all these series of proposals not having been realised?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Mr Speaker, the Hon Member's question was: Did Government accept that the initial proposals were over-optimistic in order to obtain the contract to manage Gibrepair? I think in the last resort this is a matter of judgement, Price Waterhouse have made the very reasonable comment that they wouldn't expect any proposal to be pessimistic if it was intending to win the contract, obviously one cannot compare the circumstances of the other competitors at the time because they didn't get the contract but they might have suffered similarly in the event.

HON J E PILCHER:

Mr Speaker, were not all these areas of the A & P Appledore proposals the reason why A & P Appledore got the contract?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I have really nothing more to add on this question, Mr Speaker, I think I have explained the position very clearly.

HON J BOSSANO:

Mr Speaker, does in fact the Government not consider that the argument that is being used now that circumstances have changed seems to be negated by the fact the independent consultant which they engaged made similar observations in the report at the time which still today is secret and would the Government, in the circumstances, not agree now that it is no longer possible to argue that it can affect the commercial viability of the yard to make that report public?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, the Government received advice from various sources at the time, Mr Speaker. I think that the position now is that we have to consider a situation, the Price Waterhouse Report is an analysis of the circumstances of today and I don't think it would be particularly fruitful to go back to the period of 1982/83 when, of course, conditions were entirely different in Gibraltar and the economy was in a different state and, indeed, what we are contemplating is an entirely different scenario for the future of the economy.

HON J BOSSANO:

Mr Speaker, I am referring to a specific report, the one financed by the people of Gibraltar out of local money. Does the Government not accept that the criticism of the assumptions made by A & P Appledore in their submission which was made prior to the contract being granted are, in fact, fully vindicated by the Price Waterhouse analysis?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I have nothing further to add, Mr Speaker, to what I have said.

HON J BOSSANO:

Does the Government therefore say that they do not wish to publish the report now even three years after the event because that will prove that the case put at that time was accurate and that the Government made a mistake in granting the contract?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Mr Speaker, the Government has commissioned the Price Waterhouse Report and has made available the findings of the Price Waterhouse Report which are, I think, one would generally accept, a fairly thorough analysis of the circumstances in which the dockyard project report and, indeed, has been implemented, operated since its inception, the Government doesn't propose to publish anything else.

HON J BOSSANO:

Mr Speaker, if the Price Waterhouse Report which is now being published shows that the Government had information available to it prior to granting the contract which it refuses to make public because it shows that they made a mistake in granting

the contract, what is the justification for the Government withholding that information from the people of Gibraltar who footed the bill?

MR SPEAKER:

Next question.

NO. 73 OF 1987

ORAL

THE HON J E PILCHER

Can Government state in the light of recent accidents at Gibrepar, what safety training is being implemented?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I am informed by the Company that safety training to date has concentrated in three main areas. Firstly, Safety Officers have undergone specialised training in the UK, as well as locally, in safety management aspects, gas free working etc. Secondly, safety operatives have received on-the-job training from the Safety Officers and have undergone formal training with the City Fire Brigade in fire fighting, the use of breathing apparatus and first aid. Thirdly, apprentices spend short periods of attachment with the Safety Department to increase their awareness of safe working practices.

SUPPLEMENTARY TO QUESTION NO. 73 OF 1987

HON J E PILCHER:

Mr Speaker, is the Hon Minister for Labour and Social Security not able to, perhaps, compound the answer by giving us what he promised he would check for us which was the levels of industrial injuries, in the last House? And following from the answer, Price Waterhouse again said that there was at the time of the review very little formal safety training. Obviously, it follows that because there is very little safety training there are a lot of industrial injuries and this was the line of questioning in the last House which the Hon Minister for Labour and Social Security promised to look and check for us. I think if there is a relation between the safety training and the industrial injuries and what we claim was very high industrial injuries for the dockyard.

HON CHIEF MINISTER:

Mr Speaker, in the absence of the Minister for Labour and Social Security.

MR SPEAKER:

He is just coming in.

HON CHIEF MINISTER:

I was going to say that he would answer later.

HON DR R G VALARINO:

Could the Hon Member repeat the question, please?

HON J E PILCHER:

Mr Speaker, the Minister promised in the last House that he would check

reference the number of industrial injuries at Gibrepair and our insistence that the rate of injuries, the incident rate which is calculated at injuries per thousand employees, was particularly high according to our information for Gibrepair. The Minister promised he would check that up and that is the reason for the follow-up on the question of safety training because we think they are inter-related. If there is no safety training and according to Price Waterhouse at the time of the review there was very little safety training, this can obviously compound a number of industrial accidents at the yard.

HON DR R G VALARINO:

Mr Speaker, yes, he is right, he did ask me to provide him with a breakdown of the figure but unfortunately though I gave this matter to the Department as I was not reminded before the House by the Hon Member, I haven't got any facts and figures with me. What I intend to do, if the Hon Member agrees is that I will get back to the Department and as soon as I can I will bring the necessary information to the Hon Member.

HON J E PILCHER:

I accept that, Mr Speaker, but with the exception that following the answer given by the Financial and Development Secretary, the Government is therefore happy that formal safety training is now being given because this was one of the comments made by Price Waterhouse.

MR SPEAKER:

Next question.

NO. 74 OF 1987

ORAL

THE HON J E PILCHER

Can Government state what measures are being taken by Gibraltar Shiprepair Limited to train local managers in order that they may take over from the expatriate managers?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I understand that the majority of local managers are currently being trained 'on-the-job'. A number of these managers will shortly be sent on management courses. It is planned to reduce the number of expatriate managers to around 20 during 1987, that is, to almost half the level prevailing up to the middle of last year.

SUPPLEMENTARY TO QUESTION NO. 74 OF 1987

HON J E PILCHER:

Is the Government now aware, Mr Speaker, that certain extensions have been granted to expatriate managers in the yard and that the reason given for this has been that the local managers are not yet trained up to a satisfactory standard and that we are now nearly two years into the operation and that very little seems to be happening on the ground to train the local managers for them to take over from expatriate managers and what certainly needs to be looked into is the fact that we are going to have at GSL the same situation that we have within the MOD Departments on the question of localisation? Is the Government not aware that there have been already various extensions granted and the reason given has been that the managers are not trained?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I have given the company's proposals for the reduction of expatriate managers during the forthcoming twelve months, Mr Speaker, and more reductions are planned for 1988. I would suggest that, again, rather than ask the Government if it is aware the Opposition might note what the future programme for the company is in respect of the reduction of expatriate managers. There may be some delay in the anticipated replacement but they have now given quite clear indications of what their future programme would be.

HON J E PILCHER:

Mr Speaker, the Opposition note what the Financial and Development Secretary is saying. When the Opposition bring a question to the House of Assembly it brings a question to the House because it wants a political answer from what we consider are the owners of the yard. A & P Appledore's proposals in the main, and I think one of the things highlighted at the time was the amount of local training and the reason that within a certain number of years the local managers were going to take over.

MR SPEAKER:

With respect, we are beginning to argue. I think you have had an answer to that question.

HON J E PILCHER:

What I am saying, Mr Speaker, as a follow-up to what the Financial and Development Secretary has said, is that I am not asking the company, I am asking the political wing of the Government whether they are happy with that programme.

MR SPEAKER:

Next question.

24 3 87

NO. 75 OF 1987

ORAL

THE HON J E PILCHER

Can Government state when in 1985 work on No. 1 Dock was completed and how many ships requiring Panamac size Docks were repaired in No.1 Dock in 1985 and what was the value of the work?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, work on No.1 Dock was completed in October 1985. Three vessels were repaired in No.1 Dock. The value of the work totalled £1.83m.

NO. 76 OF 1987

ORAL

THE HON J E PILCHER

Can Government state how much money was paid to sub-contractors by Gibraltar Shiprepair Limited in 1985?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the total amount paid by GSL to subcontractors was approximately £1.75m.

SUPPLEMENTARY TO QUESTION NO. 76 OF 1987

HON J BOSSANO:

Mr Speaker, could I ask the Hon Member whether this paid for labour only or does it involve a mixture of labour of the sub-contractors or sub-contractors being paid to do a job for a particular price?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I do not know, Mr Speaker. Obviously this information came from the company and in the light of the Hon Member's further query I undertake to pass this on and see if the company will vouchsafe the information. Unless this is in commercial in confidence I see no reason why they shouldn't.

MR SPEAKER:

Next question.

NO. 77 OF 1987

ORAL

THE HON J E PILCHER

Can Government state how much was paid by Gibraltar Shiprepair Limited to A & P Appledore Limited for additional services in 1985?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I assume that the Honourable Member is referring to the additional services listed in paragraph 9 of the Principal Auditor's report to the 1985 GSL Accounts; that is, work in connection with the computer systems, design of the slop barge and project engineering. Total payments for these services in 1985 were £412,500.

SUPPLEMENTARY TO QUESTION NO. 77 OF 1987

HON J E PILCHER:

Can the Government give me how much of that was actually in writing and delivery of the computer software and the installation and implementation of the computer equipment?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Mr Speaker. The amount was £150,000.

HON J E PILCHER:

Mr Speaker, given the inefficiency of the computer system and given the fact that even, according to Price Waterhouse, the breakdowns and general disruptions to the normal working week have resulted in financial information not being available, on the one hand, and a lot of expenses incurred by GSL on overtime, etc in order to try and correct the fault of the equipment, is the Government not going to try and get back that money from A & P Appledore.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

This is, of course, a matter for the Board of the company to take up as they see fit.

HON J E PILCHER:

Mr Speaker, the question is, is the Government of Gibraltar happy that after having spent £150,000 in purchasing a computer for GSL from A & P Appledore. that does not work and that has cost the company perhaps in the region of £50,000-plus in order to try and make it work, is the Government satisfied that we should pay out that money and what steps are going to be taken to remedy that and get the money back?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

As I have said, Mr Speaker, this is a matter for the Board of the company to take up and I would further add to that, that I know that the matter has been pursued by the Chairman with the managing agents, A & P Appledore, who were the providers of the service in question.

MR SPEAKER:

Next question.

NO. 78 OF 1987

ORAL

THE HON J E PILCHER

Can Government state whether the productivity levels at Gibraltar Shiprepair Limited in 1985 reached the anticipated level?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, it is the view of the company that productivity targets were not achieved in 1985 but that there has been a substantial improvement in 1986, particularly during the latter half of the year following the improvement in industrial relations generally.

SUPPLEMENTARY TO QUESTION NO. 78 OF 1987

HON J E PILCHER:

Mr Speaker, can the Financial and Development Secretary be a bit more explicit? By how much did the productivity levels not meet those anticipated by the company in 1985, was it 80%, 90%?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Mr Speaker, I think the Hon Member, if he has read his Price Waterhouse Report as diligently as I feel sure he has, will have noted that there is quite a substantial passage dealing with the question of productivity and I have no wish to hit my mere financial expertise, such as it is, against the greater experience in this area of Price Waterhouse and their professional consultants.

HON J BOSSANO:

Mr Speaker, is the Hon Member saying that the Price Waterhouse Report actually compares achieved productivity levels? Is he saying that?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, I don't think what I have said, Mr Speaker, can be construed in quite such an explicit fashion, I merely recommended to the Hon Mr Pilcher and to the Leader of the Opposition a reading of the Price Waterhouse Report which, as in so many other areas to do with the Gibraltar Shiprepair Limited, presents a fairly

balanced and careful analysis of the situation as regards productivity and other matters.

HON J BOSSANO:

Is the Financial and Development Secretary saying, Mr Speaker, that he doesn't know the answer to the question or that he refuses to provide it?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, I think the Financial Secretary's responsibilities, as regards Gibrepair, were stated some time ago, I think it was the 12th December, 1984, and I certainly regard myself as being under an obligation to provide answers to questions raised by the Opposition on Gibrepair even when they are not specifically of a financial matter but I don't regard myself as being an expert or, indeed, as capable of doing more than provide the information requested. I am simply not in a position to go into details either on safety matters, productivity levels or other aspects of Gibrepair which lie outside the financial field.

HON J E PILCHER:

Mr Speaker, we have not asked the Hon Financial and Development Secretary. The fact that the Government of Gibraltar wish him to answer the questions is a matter for.....

MR SPEAKER:

No, the Hon Financial and Development Secretary is not saying that. The Hon Financial and Development Secretary is saying that he is answerable to this House insofar as Government responsibility is concerned. The day-to-day running of Gibrepair is not the responsibility of the Government, it is the responsibility of the Board of Directors of Gibraltar Shiprepair and to that extent he does not have to answer. To the extent that he may have information available which he may wish to make available to the House then, of course, he is answerable but not otherwise.

HON J BOSSANO:

Mr Speaker, the Opposition is not asking him or anybody else to tell us the day-to-day running of the yard. We are talking about something in 1985 and we are now in 1987 and what we are asking the Government is, since the Government accepted A & P Appledore's tender documents on assumptions about productivity levels and since the Government has been told by the managers

of the company that it owns that those productivity levels assumed by Appledore were not achieved in 1985, how close did Appledore . . . come to achieving the target? It is a perfectly simple and straightforward question, does the Government know the answer?

MR SPEAKER:

No, with respect, I think the Hon Financial and Development Secretary gave an answer as to the improvement of productivity from 1985 to 1986. What has been asked by the Hon Mr Pilcher is whether he can give percentage proportions and he has said he is not able to do so. That is what I understand.

HON J BOSSANO:

Let me, perhaps then put the question again if the Hon Member has not understood it. What we are asking is, if the Government has been informed by the managers it selected for its company that the assumed productivity level targetted for the first year of operation was not achieved in the first year of operation, how close did they come to achieving it - that is the answer we want - in 1985? If the company was projecting a certain level, is the company near it or are they very far from it and the reference to Price Waterhouse is a red herring because Price Waterhouse does not comment on that point.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think this is a matter for the company, either for the Chairman or the managing director to address themselves to, Mr Speaker, and I am not prepared to take responsibility as Financial Secretary for answering that sort of question.

HON J BOSSANO:

Does the Government know how close the company came?

HON CHIEF MINISTER:

I imagine we would know if we ask for the particulars.

HON J BOSSANO:

Mr Speaker, we are talking about 1985. Is the Chief Minister telling the House that in 1987 he doesn't know how close his managers in his company came to achieving the target on which they won the contract, is that the answer?

HON CHIEF MINISTER:

No, the answer is that there are many factors that could determine the reply to that which I think might not be conducive to start a discussion on but if the Members opposite attach so much importance to that, I will find out and inform the Members what it is if they attach such importance to it. It is a matter of emphasis in these matters, we try to reply, and the Financial Secretary tries to give reasonable answers in a general way. I think we are going much further in answering questions here on this matter than in Parliament in the United Kingdom they answer for nationalised industries.

MR SPEAKER:

Next question.

NO. 79 OF 1987

ORAL

THE HON J E PILCHER

Can Government give a breakdown of the Capital Expenditure Plan proposed by Price Waterhouse for Gibraltar Shiprepair Limited?

ANSWERTHE HON FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the Price Waterhouse Capital Expenditure Plan proposed for GSL amounts to some £4m. The consultants only provided a detailed breakdown of this expenditure for 1987 totalling some £1.8m which consists of the following:

- (1) major capital items (mainly on the dock floors of No.2 and No.3 docks with some additional capital equipment) - £1.1m
- (2) machine tools to reduce breakdown maintenance - £0.5m
- (3) small tools/minor equipment - £0.2m

SUPPLEMENTARY TO QUESTION NO. 79 OF 1987

HON J E PILCHER:

Can we take it then, Mr Speaker, that the Capital Expenditure Plan only goes up to the end of 1987 because of the fact that only £2m were made available by the Gibraltar Government or that an intended £2m was going to be made available by the Gibraltar Government to Gibrepair?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Mr Speaker, I don't think it is quite as the Hon Member has suggested. First of all, I think one has to distinguish between the Price Waterhouse proposals and what the company itself might propose and, indeed, what it might think is necessary and what Price Waterhouse have proposed is not consistent in every respect with what the company feel is necessary. The company certainly has proposals for additional capital expenditure beyond 1987 in its own plans for the future, they don't correspond exactly with Price Waterhouse's own plans and the company has also, I think I am right in saying, made this point clear in public, if not I don't think I am betraying any commercial confidences in what I am now about to say. The company said that it would not envisage expenditure on the

scale which Price Waterhouse have suggested without further consideration and in its short-term plans, at any rate, it is contemplating expenditure which will produce a quick return in terms of payback or increased productivity. In other words, because of the shortage of funds it was decided to be more selective and, indeed, it has its own priorities for capital expenditure which is essential and necessary, desirable or optional.

HON J E PILCHER:

Mr Speaker, having heard all that there is one point and that is Price Waterhouse recommended an investment by the Government, obviously as part of the capital investment plan, of £5.6m. Has the Government taken this into account, have they arrived at any decision on the £5.6m or is it still in abeyance pending the Capital Expenditure Plan after 1987? I am talking about the Government's contribution according to Price Waterhouse of £5.6m.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I don't think it would be right to say that the Government has put it in abeyance, the £5.6m was a figure which Price Waterhouse put in their Report. The Government is obviously not committed to accepting every recommendation in the Price Waterhouse Report neither, of course, is the company. The company does not necessarily have to endorse everything that Price Waterhouse has recommended. As far as the Government's own contribution to GSL's finances is concerned, I think it has been made clear by the Chief Minister that this is primarily in aid of working capital but also can be used for some capital expenditure purposes during the next twelve months, during 1987, and as far as the future is concerned, I think one can only say one will have to wait and see, optimistically, but one will have to wait and see.

HON J E PILCHER:

Mr Speaker, the Hon Financial and Development Secretary has a way of getting a simple question and taking it completely out of its context. I accept that the Government or the company are not necessarily committed to do what Price Waterhouse has said that they should do. What I am asking is, has a decision been taken on the £5.6m.....

MR SPEAKER:

No, I think the answer you have been given is that the decision

has been taken on the particular £2m which are being assigned this year and that a decision will be taken at a later stage as to whether to accept the recommendations, at least that is what I have understood.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, the question as put, Mr Speaker, indeed, as you have just put it: 'Has Government taken a decision on the £5.6m?' No, because the Government has not been asked to take a decision. The company has a Board of Directors who are responsible for running it and it is their decision and their view and their judgement on the £5.6m which comes first. They have applied to us for funds and they have said: 'We wish £2m additional equity', and that is what the Government, after careful consideration, has agreed to.

HON J E PILCHER:

So the company has not asked for any further funds?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No.

HON J BOSSANO:

Mr Speaker, can the Government say whether, in fact, in arriving at the £5.6m, the expenditure which is going to be met by the £2m is also reflected in the £5.6m?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, I think there is certainly an overlap between the two, yes.

HON J BOSSANO:

To the extent of £2m, is that right? So, in fact, what Price Waterhouse is saying is that apart from the £2m that the company has asked for for the things that Price Waterhouse also thinks £2m is required, an additional £3.6m is recommended by Price Waterhouse but not by the company, is that the position?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think, broadly speaking, that is the position, yes, it is £2m out of £5.6m if one wishes to express it in that way.

HON J BOSSANO:

And, in fact, Mr Speaker, when the company has stated publicly that all that the Price Waterhouse has done is to endorse the business plan already arrived at by the Board of Directors of the company, that did not include the £3.6m?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I couldn't sort of say with absolute precision because I don't have the information in front of me what the company's long-term business plan for capital expenditure, etc adds up to. Clearly, they envisage further capital expenditure beyond the end of 1987 but as I explained in answer to the Hon Mr Pilcher, they have foregone or postponed certain capital works and they have introduced their own priorities in this matter and they don't endorse the conclusion, let me put it this way, of Price Waterhouse, that £5.6m is absolutely essential to ensure viability.

HON J BOSSANO:

So, in fact, Mr Speaker, what the Government is telling us is that of the £3.6m that Price Waterhouse consider is the necessary funding requirement for GSL beyond the £2m that the Government has provided, GSL itself considers a further sum beyond £2m is required but not as much as £3.6m?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

This is a matter still under consideration by the company, I think that would be a fair representation of the position at this point in time.

MR SPEAKER:

Next question.

NO. 80 OF 1987

ORAL

THE HON J E PILCHER

Can Government explain the difference in roles between the Financial Executive of the Gibraltar Shiprepair Limited Board and the Financial Controller of Gibraltar Shiprepair Limited?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Mr Speaker, the Price Waterhouse Consultancy Report recommended the appointment of an experienced full-time senior financial executive at Board level. In essence, this means that they envisaged that the company's Finance Manager, a position which of course already existed, should be appointed to the Board. At the time of the consultancy, the Finance Manager post was temporarily being filled by an APA secondee. He has now been replaced by an experienced financial executive recruited directly by GSL. The difference in the roles of the Finance Manager and the Controller is that the former is responsible for the day-to-day financial management of the company whereas the latter, in accordance with the terms of the Management Agreement, acts as an independent check akin to the role of an internal auditor.

SUPPLEMENTARY TO QUESTION NO. 80 OF 1987

HON J BOSSANO:

Could I ask, Mr Speaker, is, in fact, the Government saying that the new post of Financial Executive is not an additional post but in substitution of the existing Finance Manager?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I have said that, in a sense, the Finance Manager has been elevated to Board level. There has been some reorganisation in the company's financial management below that level, I am aware of that.

HON J E PILCHER:

Mr Speaker, was not the Financial Controller of the company supposed, initially, to have the two roles and the separation of those is a new idea? The Controller, initially, when we discussed it in the House many a time because of the lateness of his appointment, was he not supposed to do both things, the

control at Board level and the control at company level?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Mr Speaker, the Controller was certainly envisaged as an independent source of advice to the Board. I think, going back some time, I think there may have been proposals for a Finance Director at one stage, certainly the two functions, that of the full-time Senior Financial Executive at Board level and Controller, are quite different in concept.

MR SPEAKER:

Next question.

NO. 81 OF 1987

ORAL

THE HON M A FEETHAM

Does Government intend to introduce legislation requiring the publication of company accounts?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Yes, Mr Speaker. As the House and the Hon Questioner are aware, the EEC's Fourth Directive on Company Law concerning the disclosure of company accounts has to be implemented, but as I stated in reply to a supplementary question from the Hon Questioner in November, 1986 (Question No. 249 of 1986) we are confident that we can bring legislation to the House that will not stunt the growth and development of Gibraltar as a finance centre.

SUPPLEMENTARY TO QUESTION NO. 81 OF 1987

HON M A FEETHAM:

Mr Speaker, can the Hon Member give an indication of when the legislation is expected to come to the House?

HON A J CANEPA:

I am informed as soon as possible.

HON M A FEETHAM:

Will that be in 1987, Mr Speaker?

HON ATTORNEY-GENERAL:

I am hoping so, Mr Speaker.

MR SPEAKER:

Next question.

NO. 82 OF 1987

ORAL

THE HON J L BALDACHINO

Can Government state how many applicants have applied since 1984 for tax relief in respect of down payment for home ownership?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, a downpayment does not in itself qualify for tax relief until title to the property is acquired. About 80 applications, complying with the requirement of Section 26A of the Income Tax Ordinance have been received since the new measure was introduced on 1st July, 1984.

SUPPLEMENTARY TO QUESTION NO. 82 OF 1987

HON J L BALDACHINO:

Have these 80 all been granted tax relief?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Mr Speaker, these have all been granted.

HON J L BALDACHINO:

Are there any applicants who have refused tax relief on the down-payment?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, Mr Speaker, there have been obviously various enquiries at the Income Tax Office as to the position in respect of this particular concession and it may well be, in fact, I think it has been the case, that some applicants have been uncertain as to the precise position in law but I couldn't tell you how many enquiries have been received but the Income Tax Department, obviously, have regarded as their duty to explain the situation to those concerned. The figure I gave of eighty applications has been those which have got to the, what I might call, the formal application stage and have been granted.

MR SPEAKER:

Next question.

NO. 83 OF 1987

ORAL

THE HON J BOSSANO

Can Government state by how much it now expects receipts in respect of income tax to exceed the amount of £21.6m estimated at budget time for the current financial year?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Yes, Sir, the latest forecast for the current financial year is £23.5m, which represents an increase of £1.9m on the estimate at the beginning of the year.

SUPPLEMENTARY TO QUESTION NO. 83 OF 1987

HON J BOSSANO:

Mr Speaker, does this take into account receipts to income tax beyond the figures already provided by the Hon Member up to December, 1986?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Mr Speaker, this is the Government's estimate for the full year.

HON J BOSSANO:

What I am asking the Hon Member is, on the basis of the fact that he gave me the last time I put this question, he gave me a much inferior estimate, Mr Speaker, what I am trying to elicit is whether in a couple of weeks time we are going to see the figure revised upwards again or this takes account of the latest information available to the Hon Member?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, it takes account of the latest information available to me about the success of, for example, the Hon J Bossano wearing one of his other hats in obtaining high pay increases and therefore an increase in tax yield for the Government.

HON J BOSSANO:

So does that mean, Mr Speaker, that the Government will not seek to take credit for any action they take in the budget and that they will be giving the credit to the Hon J Bossano

wearing his other hat?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I don't think I have ever been slow in giving credit to the Hon J Bossano, Mr Speaker, no matter what hat he is wearing or even when he is without hat.

MR SPEAKER:

Next question.

NO. 84 OF 1987

ORAL

THE HON J E PILCHER

What does Government estimate was the contribution to National Income made by Gibraltar Shiprepair Limited in 1984/85 and 1985/86?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, in the absence of an up-to-date Input/Output model it is difficult to estimate precisely the contribution of GSL to the economy. Nevertheless, data available on wages/salaries, capital expenditure and imports indicate a contribution for 1984/85 and 1985/86 which lies in the range of 12% to 16% of National Income.

SUPPLEMENTARY TO QUESTION NO. 84 OF 1987

HON J BOSSANO:

Is the Hon Member saying 12% in one year and 16% in the other or is he saying somewhere in between for both years?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Somewhere in between for both years.

HON J BOSSANO:

How can the Hon Member justify a similar contribution in 1984/85 and 1985/86 when in 1984/85 the yard operated for three months and had capital expenditure for six months and in 1985/86 it was going for a full year?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

There was, of course, quite a substantial element of capital formation and, indeed, of course, wages were being paid in 1984/85 most of them, in fact, throughout all the year so I think it may well have been in the bottom end of the range 12%-16% but it was thereabouts.

MR SPEAKER:

Next question.

NO. 85 OF 1987

ORAL

THE HON R MOR

What does Government estimate will be the value of the Social Insurance Fund exclusive of the Spanish Sub-Fund at the end of March, 1987?

ANSWERTHE HON MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, the value of the Social Insurance Fund at the end of March, 1987, is estimated at £15.2 million. This figure does not take account of interest earned on investments during March, 1987, or of Appreciation/Depreciation of investments on 31 March.

The value of the Spanish Sub-fund will have been reduced to £3.1 million by the end of March, 1987, as a result of payments effected.

The answer to the question is, therefore, £12.1 million.

SUPPLEMENTARY TO QUESTION NO. 85 OF 1987

HON R MOR:

Mr Speaker, can the Hon Member explain why he told the House on the 16th December, 1986, that the Social Insurance Fund stood at £13.67m in April, 1986, and that that was without taking account of the £4.5m committed to the Spanish pensions and we now find, Mr Speaker, that, in fact, the accounts show that the Fund stood at £14.14m and that includes already £1.5m paid to the Spaniards?

HON DR R G VALARINO:

Mr Speaker, what I did say and I have got it in front of me, I said: 'The value of the Social Insurance Fund stood at £13.6m in April, 1986', the figure at the moment is for 1987.

HON R MOR:

We know that but we would like him to explain to the House why he told us that it was £13.67m when, in fact, it is £14.1m? Mr Speaker, does the Hon Member still stand by that figure?

HON DR R G VALARINO:

No, because basically that was an estimate, we have only just got the actual accounts of the Fund, it was an estimate which I gave at the time.

HON R MOR:

Mr Speaker, that estimate is about £2m off.

HON DR R G VALARINO:

Yes, but this estimate is increased now probably because of two reasons: one, is the extra number of contributors since April one year to April the next, in one year the extra number of people working in Gibraltar, and the other one, is the increased numbers of contributions being paid by females who are now having to pay the full rate since 1985 as an EEC directive.

HON J BOSSANO:

Mr Speaker, the Hon Member hasn't got the faintest idea what he is talking about. Can the Hon Member explain how he made an estimate in December about the results nine months before and the estimate made nine months after the event was out by £2m?

HON DR R G VALARINO:

Mr Speaker, the Leader of the Opposition hasn't got the slightest idea what I am trying to explain. I think he ought to go back to school and try to learn a little bit, it wouldn't do any harm. The fact that that is a rough estimate and this is an accurate estimate, I have said basically the increase is due to two things, first of all, the increase in the number of people working in Gibraltar since April, 1986, until the end of March 1987. That has been appreciable. Secondly, females as from January, 1987, according to EEC legislation are now having to pay the full whack for social insurance. That, in itself, increases the amount in the Social Insurance Fund. Whether the Hon Member feels that this could well amount to £2m granted the fact that this was an estimate, in my opinion I feel that certainly the figure is a realistic one.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, on a point of information, if I may help my Hon Colleague, of course, it is not my responsibility, did I understand the Hon Mr Mor to say that the difference was £2m? Because the Minister's statement was: 'The value of the Social Insurance Fund stood at £13.67m in April, 1986', he said that was an estimate and I have a copy of the accounts in front of

me and the balance at 31st March, 1986, is surely £14.1m so it is not £2m difference.

HON J BOSSANO:

Perhaps, Mr Speaker, I can help the Hon Financial and Development Secretary rather than him helping us. Is the Government aware that when the Minister for Labour gave the figure of £13.67m he said that this was before deducting £4.5m to be paid to Spanish pensioners leaving a residue in excess of £9m and that the figure that the Hon Member has quoted from the accounts, there is a residue of £14m after deducting £1.5m and therefore the Hon Member is not comparing like with like and if he adds back the £1.5m to the two figures he has quoted he will find that the total difference is of the order of £2m and therefore, if I can now ask the Hon Member, Mr Speaker, the answer that he has given us is the change in the number of contributors since 1986 and what we are asking is the increase shown by the Auditor over the figure he gave us which refers to March, 1986, so we are not asking him for any explanation of anything that has happened since February or March, 1986, which is the answer that he has just given us. How can he explain the discrepancy between the figure he quoted in the House in December to justify increased contributions and if, in fact, that figure was incorrect does the Hon Member now believe that the increase in contributions of January this year was too high?

HON DR R G VALARINO:

Mr Speaker, as the Hon Member well knows, the increase in contributions as far as the Social Insurance Fund this year was the same as last year and there was no change except for the medical scheme and he can check this on Hansard and it was in the region of 60p and I don't think this is an exaggerated amount. Obviously, this will help towards the initial cost because it is at the beginning of the year. He is talking about a difference of £2m. If I could answer the question again, I have said the value of the Social Insurance Fund at the end of March, 1987, is estimated at £15.2m. The value of the Spanish Sub-Fund will have been reduced to £3.1m by the end of March, 1987, as a result of payments effected. The answer to the question is, therefore, £12.1m. We have here the accurate figure that instead of being £13.67m is £14.137m, that is another £½m extra that was in the Fund at the time. As far as I can see, despite what the Hon the Leader of the Opposition will say, there is certainly no tremendous difference as he would like to show.

HON J BOSSANO:

Mr Speaker, can the Hon Member confirm that the figure that he

gave in the House of £13.67m did not take account of any payments to Spanish pensioners?

MR SPEAKER:

That is a simple question you are being asked, whether the £13.67m included the Spanish pensioners or it didn't, it is as simple as that.

HON DR R G VALARINO:

Mr Speaker, certainly that figure of £13.67m - he has asked a very good question.

HON J BOSSANO:

I know what the question is, I want the answer.

HON DR R G VALARINO:

The answer is obviously that the £13.67m included the funds which form part of the Spanish Sub-Fund and then we had to subtract the £4.5m which is the Spanish Sub-Fund in its entirety.

HON J BOSSANO:

So, Mr Speaker, now that the Hon Member has confirmed that the £13.6m included £4½m of the Sub-Fund as he said and as is recorded in Hansard, can he confirm that the figure of £14.1m shown in the audited account does not include £4½m of the Sub-Fund?

HON DR R G VALARINO:

Mr Speaker, the £14.1m is reduced by the amount paid out to Spaniards.

HON J BOSSANO:

Mr Speaker, will the Hon Member confirm that if there are two totals one of which is reduced by £1½m and one of which is not reduced by £1½m and the one reduced by £1½m is £½m higher than the first one, then the difference between the two totals if one compares them like with like is £2m, can he confirm that?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think the Hon Leader of the Opposition is being very unfair to my Hon Friend, Mr Speaker. The actual arithmetic now I am seeing what the record of Hansard is: 'The value of the

Social Insurance Fund stood at £13.67m in April, 1986' - that, obviously, was an estimate - 'Taking account of the £4.5m committed towards the cost of Spanish pensions, the balance of £9.17m', the Minister obviously made that deduction. I am not sure, I want to spare the Minister's blushes, but I am not sure that that particular deduction was a terribly relevant one but what is quite clear is that £1.5m has been paid out to Spanish pensioners during the period up to 31st March, 1986, and therefore that is accounted for, as the Hon Leader of the Opposition will know, in arriving at the balance of £14.1m. You could say that the Spanish Sub-Fund has been reduced by £1.5m certainly but then you will have to take into account what the earnings on the rest of the investments in the so-called Spanish Sub-Fund were and I don't think that that, in fact, appears in the accounts.

HON J BOSSANO:

That is totally irrelevant, Mr Speaker, and the Financial and Development Secretary knows it. Can the Hon Member confirm that on the basis of the statement made by the Government to which he has referred of a residue of £9m, the equivalent figure shown in the audited accounts is £11m? Can he confirm that?

MR SPEAKER:

I am afraid that we are getting to a stage when we are talking mathematically more than anything else.

HON J BOSSANO:

He can't even do a simple sum like that. Mr Speaker, does the Hon Member not agree that the reason why he said in the House in introducing increased charges that the £9m was barely enough to cover two years of expenditure on local pensions was by way of justifying the need to increase social insurance on the 1st January, 1987, by the amount suggested by the Government, does he accept that?

HON DR R G VALARINO:

No, Sir, first of all, increases at the end of the year, obviously, occurred. They occur simply because as a result of a fixed amount old age pensions will go up and that has got to be balanced against the amount that is being paid out in old age pensions. I see that the Hon Member has gone on to the next step in my speech but certainly I deny totally that I had to increase it because the Fund was too low. The 60p and the 61p had to be increased to be able to cater for the amount of money paid out to old age pensioners.

HON J BOSSANO:

Mr Speaker, will the Hon Member confirm that he told the House and I quote from page 5 of Hansard of the 16th December, 1986: 'The Social Insurance Fund stood at £13.67m. Taking account of the £4.5m committed towards the cost of Spanish pensions, the balance of £9.17m represents well under two years expenditure on local pensions at the proposed 1987 rates of benefit. It is therefore proposed to continue increasing contributions by an amount which will provide a surplus of income over expenditure on local pensions'. Will the Hon Member confirm that that is what he said?

HON DR R G VALARINO:

Yes, it is down black upon white.

HON J BOSSANO:

And therefore is he telling the House that that does not mean that because the policy of the Government is to generate a surplus over expenditure, he had to increase charges by so much to guarantee that surplus because there was only £9m in the Fund? That is not what he was telling the House, if it wasn't can he explain what he was telling the House?

HON DR R G VALARINO:

No, Mr Speaker, the Hon Member is double twisting us always. What I said was that we would increase the contributions by a certain amount which would give us a leeway of a certain figure and we have done this time and time again so as to bolster up the Social Insurance Fund so as to get more interest from the Social Insurance Fund so that in due time the contributions can be kept at a reasonable level because we are getting an extra amount of investment value from the Social Insurance Fund and this is the reason why we always try to have a certain amount in hand to be able to put back into the Social Insurance Fund. We do not tax people for the sake of taxing them.

HON J BOSSANO:

Mr Speaker, if the Hon Member believed at the time that he had £9m in the kitty, is he telling the House that whether he has £9m in the Fund or £11m in the Fund doesn't make any difference, he still increases by the same amount?

HON DR R G VALARINO:

Mr Speaker, when the amount is 60p the aim would obviously be

in the long-term to increase by the same amount or by a smaller amount therefore if you have more in the kitty - I am trying to give him a mathematics lesson.....

MR SPEAKER:

We are beginning to debate and I think we have got to the stage where we are getting nowhere.

HON J BOSSANO:

Mr Speaker, we are trying to establish what is Government policy in respect of social insurance contributions and social insurance benefits by obtaining information.

MR SPEAKER:

What is the information you are seeking?

HON J BOSSANO:

The information that we want to know is, does the Government base its policy on raising charges by looking at how much money there is in the Fund or not?

HON DR R G VALARINO:

The answer is no, Sir. The answer is in the cost.

HON J BOSSANO:

So the Government does not take into account how much money there is in the Fund before deciding how much it requires to raise charges to generate income over expenditure?

HON DR R G VALARINO:

No, Sir, not directly.

HON J BOSSANO:

Then, therefore, Mr Speaker, can the Hon Member explain why he used the fact that there was £9m in order to support his argument of the amount that was needed to be increased?

HON DR R G VALARINO:

Mr Speaker, if the Hon Member cares to read, if he is able to do so, I was just stating it. I wasn't trying to defend the increase on the subsequent paragraph. I was just stating it.

MR SPEAKER:

We are not going to get any further on this one so I am going to call the next question. Next question.

24 3 87

NO. 86 OF 1987

ORAL

THE HON J BOSSANO

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

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the Treasury are now engaged on the preparation of Estimates for 1987-88 and I would prefer at this stage to await the completion of that exercise before making any statements about the outturn for the current financial year.

SUPPLEMENTARY TO QUESTION NO. 86 OF 1987

HON J BOSSANO:

But the Hon Member already knows what he is going to tell us about the outturn of the year, he just wishes to reserve the information for a later stage, is that the position?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Well, not entirely, Mr Speaker. I am not really prepared to say something now which is based on partial or incomplete information. I was fairly confident about the yield from income tax so I gave the Hon Member the information that I have on that and, indeed, I think that will be the forecast outturn for the year which will appear in estimates but there are other factors affecting financial management which could affect the outturn for the year.

MR SPEAKER:

Next question.

NO. 87 OF 1987

ORAL

THE HON J BOSSANO

Can Government confirm that the whole amount provided for wages and other payments to industrial workers will not be spent in the current financial year?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the amount included in the 1986-87 Estimates for wages and other payments to industrial workers directly employed by the Government was approximately £11.8 million. The latest estimate is that the outturn for the year will be about £11.3 million.

SUPPLEMENTARY TO QUESTION NO. 87 OF 1987

HON J BOSSANO:

Mr Speaker, did the figure quoted by the Financial and Development Secretary take into account the 1986/87 pay review or that is before taking into account that?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

That takes into account the 1986/87 pay review.

HON J BOSSANO:

So that, in fact, the figure that the Hon Member has given me was on the assumption that the £460,000 which he gave me in the last House as the cost of the pay review of industrials would have been reallocated?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I am not quite sure why it should have to be reallocated, it would have been brought to account and the figure I have quoted assumes that.

HON J BOSSANO:

Mr Speaker, it will have to be reallocated because, in fact, the House is presented by him with a statement of reallocation warrants putting the cost of the review to each Head of Expenditure and the figure that he told me was provided in the estimates and subsequent due to be reallocated was £460,000.

I am asking him is £11.8m before or after the £460,000?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I am sorry, yes, Mr Speaker, obviously the sum will be reallocated as, indeed, are all items included in the pay provision, yes.

HON J BOSSANO:

And I am asking, Mr Speaker, for the third time, is the £11.8m after adding the £460,000 which has to be reallocated or before?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

After adding the £460,000.

HON J BOSSANO:

Can the Hon Member say, therefore, whether the £11.3m includes £460,000 or a different figure?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

The £11.3m, which is the figure, I cannot say whether it includes exactly £460,000 because that in itself was an estimate and as I think I explained in correspondence with the Hon Leader of the Opposition, that estimate would have included because of the way in which the figure is arrived at, the estimate for the year, that estimate would possibly have included an element for John Mackintosh Hall, Museum and other non-Government enterprises.

HON J BOSSANO:

Does, in fact, Mr Speaker, the discrepancy between the £11.8m that the Hon Member has given the House now and the £12.2m that he gave me in correspondence does that, in fact, take into account the areas that he has mentioned? Is that why there is a difference of £400,000 between the two figures?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I gave the Hon Member an estimate of £12.2m, it is true, and I then wrote to him explaining why it was that for a period of years the outturn, I gave him a number of reasons why it was that for a period of years the outturn for industrial employees was less than the estimate, it was partly the way in which the estimate was calculated on a figure provided to the Treasury to

the Finance Department by the Economic Planning and Statistics Office and I think those explanations which I gave him at the time are still valid.

HON J BOSSANO:

That is not the question I have asked him, Mr Speaker. What I have asked him is whether the difference between the £11.8m and the £12.2m is due to the fact that he has given me £11.8m as the cost of people directly employed by the Government and the £11.2m included para Government Departments like Mackintosh Hall, etc? That is the question I have asked him.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, that was one of the explanations I gave the Hon Member and that is still true.

HON J BOSSANO:

The Hon Member has given me an explanation as to why the figure has not been met, whether the figure is £11.8m or £12.2m. I am asking two separate questions, Mr Speaker. One question is, can the Hon Member confirm that the £11.8m differs from the £12.2m by £400,000 because we are talking about two different populations, one which includes para Government Departments and one which excludes para Government Departments.

MR SPEAKER:

In other words, you are being asked whether the £400,000 difference is that allocated to Mackintosh Hall?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Thank you, Mr Speaker, for explaining it. No, the figure I gave the Hon Member was for payments to industrial workers directly employed by the Government and I gave him a figure of £11.8m which I said was an approximate, it really is a calculation because at the beginning of the year, I am not quite sure why, but we cannot estimate accurately for the Government directly employed element. During the year when we have actual documents to look at, it is fairly clear what the outturn is for Government employees hence the figure I have given him of £11.3m compared with an approximate figure of £11.8m is the best I can do now. I am fairly confident about £11.3m as being the outturn. The explanation of the difference between £11.8m and £11.3m does not take into account John Mackintosh Hall, the Museum, GBC. I think that was at least one of the questions which the Hon Member asked

me, I hope I have answered it.

HON J BOSSANO:

No, Mr Speaker, I know that he expressed his gratitude to you but I am afraid you have had no more success in getting the answer than I have done. What I am asking is the difference between the £11.8m and the £12.2m, that is where the £400,000 comes from.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, there are three figures: £12.2m was the estimate which was provided at the beginning of the financial year.....

MR SPEAKER:

May I stop you there. Does that include John Mackintosh Hall and the others?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

It did, Sir.

MR SPEAKER:

Does the £11.8m include the John Mackintosh Hall?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

It does not, Sir.

HON J BOSSANO:

So therefore the difference between the two is the £400,000, is that correct, Mr Speaker? That £400,000 is the cost of those extra Departments which is included in the £12.2m and excluded in the £11.8m?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Broadly speaking, yes.

HON J BOSSANO:

Can I ask the Hon Member, in the difference that there is of £½m in Government employees can he confirm, in fact, that this figure is much bigger than it has been in other years?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I cannot confirm whether it is bigger than in previous years, Mr Speaker. It is common for there to be underspending certainly, when I say common I mean in 1984/85 and 1985/86 there has been underspending but I would have to examine the records to see what extent the underspending for 1984/85 and 1985/86 is compared with this year. I have the figures for non-industrial staff because I wanted to make a comparison for myself but I haven't got the previous year figures for industrial. Nevertheless it is quite true that there will be a substantial 'underspending' on industrial wages, etc.

MR SPEAKER:

Next question.

NO. 88 OF 1987

ORAL

THE HON J BOSSANO

What does Government estimate is the present rate of growth of the Gibraltar economy?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, in the absence of information from the proposed input/output study it is difficult to provide a reliable estimate of the growth in the Gibraltar economy. The figures I provided recently indicated an increase in National Income for 1985-86 of about 10% in real terms, but there were a number of exceptional features in the year. Allowing for such distortions I think it could reasonably be said that the underlying growth rate in the current year is similar to that of the previous year.

SUPPLEMENTARY TO QUESTION NO. 88 OF 1987

HON J BOSSANO:

And what is the underlying rate of growth which is similar to that of the previous year, Mr Speaker?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Until I have information from the proposed input/output study, Mr Speaker, I would find it very difficult to say that. The point is that there have been distortions. I think the Hon Leader of the Opposition and myself in an exchange earlier on in these proceedings we touched on this, in fact, in respect to GSL, it was, of course, heavy fixed capital formation on the part of GSL. This has subsequently been replaced to some extent by a fixed capital formation elsewhere but the precise equation how it will affect the national income accounts I am afraid I hesitate to say.

HON J BOSSANO:

Mr Speaker, can the Hon Member then say historically, in respect of 1984/85 or 1985/86 what he thought the underlying rate of growth was then if he cannot say what it is now?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I have given the Hon Leader of the Opposition information, Mr Speaker, about national income in 1984/85 and 1985/86. The latter was, of course, an estimate and the information I gave in answer to a question in a previous House of Assembly was that there had been an increase of 14% between 1984/85 and 1985/86 or 10% in real terms. As I have just explained in my answer, I think there were some quite exceptional features in the economy which makes me hesitate to say that the growth between 1985/86 and 1986/87 will also be 14% or 10% in real terms. I would prefer to await the detailed information about national income which I hope the proposed input/output study will provide.

HON J BOSSANO:

Mr Speaker, if the Hon Member has introduced in this House a new and third label, that is to say, there is the gross rate of growth, the real rate of growth after deducting inflation and now the underlying rate of growth and one is saying: 'Well, what does he think the underlying rate of growth was?'

MR SPEAKER:

I think he has been specific. He is not prepared to express a view at this stage even though he has got a fair amount of historical facts in his hands. Next question.

24 3 87

NO. 89 OF 1987

ORAL

THE HON J BOSSANO

Can Government confirm that in 1986 Gibraltarians spent £13,000,000 in tourism and personal imports in Spain?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the Hon Leader of the Opposition will not be surprised to hear me say that it is difficult to be precise about the level of Gibraltarian expenditure in Spain. More information should become available when the next Family Expenditure Survey is carried out. This survey is due to commence in October this year. Such estimates as we have so far made suggest that the figure lies somewhere within the £12 million to £16 million range.

NO. 90 OF 1987

ORAL

THE HON J BOSSANO

Can Government confirm that in 1986 Gibraltar imported goods worth £15,000,000 from Spain?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, import statistics have now been compiled for the first six months of 1986. During this period imports from Spain totalled £5.3m, some 65% higher than the corresponding period in 1985. Statistics on imports for the whole of 1986 should be available by the end of April.

SUPPLEMENTARY TO QUESTION NO. 90 OF 1987

HON J BOSSANO:

Does, in fact, the reply imply that the figure will not be £15m?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I think it is highly unlikely that it will reach £15m for the whole of 1986, Mr Speaker, highly unlikely.

HON J BOSSANO:

So, in fact, Mr Speaker, the Hon Member is saying that the figure quoted in the Annual Report of the Chamber of Commerce was not obtained from official sources?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

It was certainly not obtained from me, Sir.

HON J BOSSANO:

This is just a guesstimate on the part of the Chamber of Commerce and is not an accurate figure?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I am not responsible for the uninadvertence of the Chamber of Commerce.

HON J BOSSANO:

And Government has not provided this information to the Chamber?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

No, they don't have the statistics.

HON CHIEF MINISTER:

They know more than we do.

24 3 87

NO. 91 OF 1987

ORAL

THE HON J C PEREZ

Can Government confirm whether they are considering the employment of eight traffic wardens?

ANSWER

THE HON THE ATTORNEY-GENERAL

Mr Speaker, a study has just been completed and proposals will shortly be put to the Government for the creation of a Traffic Warden Structure.

The number of Traffic Wardens required has not yet been finalised but it would appear that the number will be in excess of eight. I cannot give any definite figure until the proposals have been approved by the Government and the gradings, numbers and conditions of service have been agreed with the Staff Side.

SUPPLEMENTARY TO QUESTION NO. 91 OF 1987

HON J C PEREZ:

Does the Hon Member envisage that funds for the purpose will be included in the coming financial year?

HON ATTORNEY-GENERAL:

That I cannot say, Mr Speaker, because the proposals haven't yet been put to the Government. I don't know what the Government's decision will be and when they will decide that the proposals should be implemented or, indeed, be implemented.

HON J C PEREZ:

So what the Hon Member is saying is that at the moment the idea is at this stage with the Department and that the Government has not discussed the matter at all?

HON ATTORNEY-GENERAL:

It hasn't even gone to the Government yet.

MR SPEAKER:

Next question.

NO. 92 OF 1987

ORAL

THE HON M A FEETHAM

When does Government intend to bring to the House the proposed legislation on Health and Safety at work?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, I am grateful for this question as it enables me to update the answer which I gave to Question No. 267 of 1986.

The first draft of a Buildings (Construction and Demolition) and Excavations Bill, 1987 was received from the Draftsman and submitted to Government on the 16 February last.

Following consultations with the Draftsman I instructed him on 30 January, 1987, to draft for the consideration of Government:

An Employment (Health and Safety) Ordinance which will comprise:-

- (a) the main provisions of the present Factories Ordinance;
- (b) parts of the present Public Health Ordinance;
- (c) parts of the draft Health and Safety at Work Bill.

There will also be legislation which I have given instructions to be drafted, legislation covering the general duties towards persons, other than employees, which are presently contained in the draft Health and Safety at Work Bill.

I cannot say when it will be possible to bring this legislation to the House but I will once again do all I can to ensure that it is brought as soon as possible.

SUPPLEMENTARY TO QUESTION NO. 92 OF 1987

HON M A FEETHAM:

Once again, presumably in 1987?

HON ATTORNEY-GENERAL:

Hopefully, again, Mr Speaker.

MR SPEAKER:

Next question.

NO. 93 OF 1987

ORAL

THE HON R MOR

What steps are Government taking to protect school children from the possible supply of drugs in the vicinity of schools?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, Officers of the Drugs Squad pay regular attention to both Comprehensive Schools, particularly the Girls' Comprehensive School. The problem is not so much in the vicinity of the Schools but in other places frequented by young people. Officers of the Drugs Squad are also paying regular attention to these other places.

SUPPLEMENTARY TO QUESTION NO. 93 OF 1987

HON R MOR:

Mr Speaker, is the Government aware of a recent report in the press which claimed that youths between the ages of fourteen and nineteen are said to be the victims of pushers selling LSD, amphetamines and cannabis in well chosen spots which catch the flow of students from schools and colleges in Gibraltar, credit and low starting price are the attractions? Is the Government doing something about that?

HON ATTORNEY-GENERAL:

It is a question really not so much for the Government as the Police and the Police are aware of it. I also read the Chronicle, Mr Speaker and the Commissioner is very much aware and aware of the contents of this particular article.

HON R MOR:

Mr Speaker, are they doing something about it?

HON ATTORNEY-GENERAL:

Something is being done about it, yes, obviously for obvious operational reasons I cannot tell you what is being done about it, but something is.

HON J L BALDACHINO:

Mr Speaker, why is it that they are more interested in the Girls' Comprehensive School than in the Boys' Comprehensive School?

HON ATTORNEY-GENERAL:

The problem must be that people wait outside the Girls' Comprehensive School, every young man waits outside the Girls' Comprehensive School and young ladies do not wait outside the Boys' Comprehensive School.

MR SPEAKER:

Next question.

24 3 87

NO. 94 OF 1987

ORAL

THE HON R MOR

Can Government now say by how much the Education budget will be increased to meet the extra cost brought about by the reorganisation of B/TEC courses?

ANSWER

THE HON THE MINISTER FOR EDUCATION, SPORT AND POSTAL SERVICES

Sir, may I draw the Hon Member's attention to my reply to Question No.14 of 1987 on this very matter. The House will be provided with the details at the Budget Session.

NO. 95 OF 1987

ORAL

THE HON R MOR

Can Government state what is the maintenance cost of the College of Further Education in the current financial year and how does this compare with the cost when maintenance was carried out by the Ministry of Defence?

ANSWERTHE HON THE MINISTER FOR EDUCATION, SPORT AND POSTAL SERVICES

Mr Speaker, a total of £80,000 was provided under Head 4(1), Sub-head 18 in 1986/87 for Minor Works within the Education Department, which includes the College of Further Education.

The programme of Minor Works and repairs is carried out by the Public Works Department in terms of general priorities for the Education Service and is not identified under individual institutions. I am advised it is not possible to place a figure on the level of expenditure specifically for the College of Further Education.

There is no means of obtaining the level of maintenance costs previously incurred by the Ministry of Defence. However, judging by what Government took over on transfer of the College buildings, the figures could not have been very substantial.

SUPPLEMENTARY TO QUESTION NO. 95 OF 1987

HON R MOR:

Mr Speaker, isn't it a fact that the Gibraltar Government used to pay 50% of the maintenance cost of the College when it belonged to the Ministry of Defence?

HON G MASCARENHAS:

I beg your pardon, Mr Speaker?

MR SPEAKER:

You are being asked whether it is a fact that the Government of Gibraltar used to contribute 50% of the repair bills?

HON G MASCARENHAS:

We used to pay 50% of the bill and if I remember correctly in terms of the resources but not on the maintenance.

HON J C PEREZ:

Mr Speaker, is the Hon Member saying that out of the minor works budget of £80,000 the Government cannot actually identify what is spent on each institution within the Department on its buildings?

HON G MASCARENHAS:

Mr Speaker, I take the question from the Hon Member but it is not the Education Department, it is the Public Works Department that should answer that and I am advised that they are unable to give me a figure.

HON J C PEREZ:

Mr Speaker, how is it then that when one asks questions about the other votes such as, for example, the one on £700,000 maintenance where the Hon Major Dellipiani gave me a huge breakdown in detail about everything that was being spent and then we come to seeing the breakdown of a mere £80,000 within the Education Department and the Government cannot supply a breakdown?

HON G MASCARENHAS:

Mr Speaker, I can give him what has been carried out during 1986/87 at the College. I can give him the details of what has been done but I cannot quantify that because I haven't been provided with the figures by my Hon Friend.

MR SPEAKER:

It is accepted that the answer is that you have had an amount of work done but you cannot quantify the cost.

HON CHIEF MINISTER:

I think, perhaps for the general benefit of Members, when some of these details cannot be given it is simply that it cannot be given in the time-lag between notice of a question and coming here and the extent of the research required and the importance to deal with a supplementary such as that, really, that is the practical side of it. Certainly at the end of the financial year it can be examined and provided, I should very much hope so.

MR SPEAKER:

Next question.

NO. 96 OF 1987

ORAL

THE HON R MOR

Have Government now completed their survey on Bayside Comprehensive School?

ANSWERTHE HON THE MINISTER FOR EDUCATION, SPORT AND POSTAL SERVICES

Yes, Sir. On the basis of the advice received, very substantial improvement works are projected for Bayside School which Government trusts will lay the problems to rest for the long-term. Government has already committed the funding necessary to carry out these works and the Public Works Department will shortly start preparing the necessary documents with a view to commencing as early as may be possible.

A working group consisting of Public Works Department and Education Officials, together with the Headteacher of Bayside School has been set up to liaise closely on the programming of these works to ensure minimum disruption to the School.

SUPPLEMENTARY TO QUESTION NO. 96 OF 1987

HON R MOR:

Can the Government say whether a survey on the electrical installations of the school has been carried out?

HON G MASCARENHAS:

The survey, Mr Speaker, is an extensive survey and it includes the electrical rewiring, yes.

HON R MOR:

Can the Government explain why recently there was an incident where a teacher was flung about three metres away due to an electric shock?

HON G MASCARENHAS:

Mr Speaker, all the heaters at Bayside School have a notice on them which says that no weight should be placed on the heater, the teacher in question actually sat on it.

HON R MOR:

Mr Speaker, the same way as a teacher has done it a young student could have done it and the result could have been very different.

HON G MASCARENHAS:

Mr Speaker, the heaters are all marked that no weight should be placed on them. It is very natural for the teacher in the course of his lecturing to perhaps lean on the heater and in this case he actually sat on it.

HON R MOR:

But doesn't the Government accept that it is not convenient to have that sort of heater?

HON G MASCARENHAS:

Mr Speaker, I am forever telling my children not to sit on the heaters at home.

HON J E PILCHER:

Mr Speaker, without commenting on the desirability to sit on top of a heater or not to sit on top of a heater, the reality is that a shock of electricity is not dependent on the weight on the heater. If somebody gets a shock it is because there is a faulty wiring or a faulty system not because of weight.

MR SPEAKER:

With respect, we have touched on the subject and it has been highlighted but we are not going to get involved as to whether that particular heater should have been in the school or whether the teacher should have sat on it or whether it is advisable to have that heater in a school where there are children. That should have been the subject matter of another question.

HON R MOR:

Can I ask one more question, Mr Speaker? Does the Government still accept then that the school has not reached a substandard level?

HON G MASCARENHAS:

That does not arise. If I recall you asked the question at the last House of Assembly and we do not accept that the school is at a substandard level.

HON R MOR:

So you do not accept that. So, in fact, the Government would guarantee to the parents in that school that the school is absolutely safe?

HON G MASCARENHAS:

Mr Speaker, I cannot guarantee anything but I am told by the people who may be able to state what the situation and the condition of the school is that there is no imminent danger as regards, for example, the wiring and the improvement works that will be carried out will not guarantee it, nothing I think in life can be guaranteed.

MR SPEAKER:

Next question.

NO. 97 OF 1987

ORAL

THE HON R MOR

Can Government state whether they consider that accommodation facilities at St Anne's Middle School are adequate?

ANSWERTHE HON THE MINISTER FOR EDUCATION, SPORT AND POSTAL SERVICES

Mr Speaker, the accommodation at St Anne's Middle School is just adequate to meet the basic needs of this School. Government has recently approved a major project for St Anne's which will provide a gymnasium and substantial specialist facilities.

SUPPLEMENTARY TO QUESTION NO. 97 OF 1987

HON R MOR:

Mr Speaker, I think that the Government considers that at present it is adequate, that is what I understood.

MR SPEAKER:

I think the answer was 'just adequate'.

HON R MOR:

Can they confirm that they are using an old pre-fabricated block which is just opposite the school across the playground and that this block was condemned many years ago and it is being used by the school as well?

HON G MASCARENHAS:

Mr Speaker, I don't quite know what block the Hon Member is referring to but the project which we have approved already will include four general classrooms, a gymnasium, a drama area, a computer room, special education area, extra staff and storage place. In fact, it is a substantial project.

HON R MOR:

Mr Speaker, what I am referring to is, in fact, the report which has been produced by the Department of Education, the 1984/86 Report, and it says: 'With limited utilisation of an inadequate pre-fabricated building one-third of which has been declared unsafe by the Public Works Department'. The building is, in fact, across the main school building on the playground.

HON G MASCARENHAS:

I think the Hon Member is referring to what we affectionally call 'the stables'.

HON R MOR:

Can Government confirm it is a stable?

HON G MASCARENHAS:

There used to be stables once upon a time, I am told.

HON R MOR:

What is the cost of this project, Mr Speaker?

HON G MASCARENHAS:

Mr Speaker, at this stage I would not like to divulge it, the project has not gone out to tender yet so it would be improper to give the figures at this stage. It will be included, obviously, at the Budget session and it will be under the Improvement and Development Fund.

HON R MOR:

This has been the first priority for the Department of Education, is that correct?

HON G MASCARENHAS:

Yes, Mr Speaker, I can confirm that, I have said so publicly on many occasions. Once the St Mary's Middle School project was done away with and the St Joseph's First School project is done away with St Anne's will follow suit.

HON R MOR:

But, Mr Speaker, how long has this been the first priority with the Department of Education?

HON G MASCARENHAS:

I didn't say it was the first priority, I said it was the third priority, Mr Speaker.

HON J C PEREZ:

Mr Speaker, does the refurbishing mentioned by the Hon Member include the area affectionately known by the Minister as 'the stables'?

HON G MASCARENHAS:

Yes, I believe so.

HON J C PEREZ:

In actual fact what the Hon Member is saying is that although it is being used at the moment it will cease to be used whilst these works are taking place?

HON G MASCARENHAS:

I cannot answer that, Mr Speaker, I don't know. I don't know how the works will be carried out.

HON J C PEREZ:

What I am getting at, Mr Speaker, is that if there are works to be done there and at the moment it needs to be used in the condition that it is, what other available space is being made available temporarily whilst that area is being refurbished?

HON G MASCARENHAS:

Mr Speaker, I cannot answer that and I can let him have the information as soon as I can find out.

HON J L BALDACHINO:

Having regard to what my Hon Colleague has said that according to PWD part of the area is condemned, will the Hon Member take it upon himself to see that it is safe for the children to use the place?

HON G MASCARENHAS:

Yes, I will do that.

MR SPEAKER:

Next question.

24 3 87

NO. 98 OF 1987

ORAL

THE HON R MOR

Are accommodation facilities at St Joseph's Middle School satisfactory?

ANSWER

THE HON THE MINISTER FOR EDUCATION, SPORT AND POSTAL SERVICES

Mr Speaker, four additional classrooms were provided for St Joseph's Middle School in December 1986 at a cost of approximately £60,000.

The present accommodation with these four additional classrooms, is adequate to meet the current needs of the School. However, Government is conscious of the increasing shift of population to the South district as new housing stock comes on line. Several options are under study in order to either extend the school building or re-provide it on a new site.

24 3 87

NO. 99 OF 1987

ORAL

THE HON R MOR

Is the accommodation in St Joseph's First School satisfactory?

ANSWER

THE HON THE MINISTER FOR EDUCATION, SPORT AND POSTAL SERVICES

Government will be providing two additional classrooms for September 1987 to enable St. Joseph's First School to accommodate an expected increase in its intake due to a population shift to the South District.

The estimated cost for the two additional classrooms is £57,000.

Government has also recognised the need to re-provide a larger school on another site and is currently studying two options within the school's catchment area.

SUPPLEMENTARY TO QUESTION NO. 99 OF 1987

HON R MOR:

Mr Speaker, what would be the cost envisaged for such a project, is the Hon Member aware?

HON G MASCARENHAS:

That hasn't been costed yet.

MR SPEAKER:

Next question.

NO. 100 OF 1987

ORAL

THE HON R MOR

Does Government consider that the general conditions of Governor's Meadow First School are adequate?

ANSWERTHE HON THE MINISTER FOR EDUCATION, SPORT AND POSTAL SERVICES

Yes, Sir.

SUPPLEMENTARY TO QUESTION NO. 100 OF 1987

HON R MOR:

Yes, you do consider it is inadequate?

HON G MASCARENHAS:

Adequate.

HON R MOR:

How long has the Government been considering the school as inadequate?

MR SPEAKER:

No, they consider it to be adequate.

HON R MOR:

Does Government accept that this particular school building is, in fact, inadequate because it was never meant to be a school, is that not correct?

HON G MASCARENHAS:

Mr Speaker, it was never meant to be a school but it is a school and we consider it to be very adequate. At the present time we are currently extending to provide the school with a larger multi-purpose hall. The options for re-siting the school, it is a difficult catchment area to re-site the school completely. We are looking at the possibility but I can tell the Hon Member that this is not an urgent priority, the school is adequate.

HON R MOR:

In fact, the report on education says it is a long-term project to re-site the school, is that not so?

HON G MASCARENHAS:

Absolutely.

MR SPEAKER:

Next question.

24 3 87

NO. 101 OF 1987

ORAL

THE HON R MOR

Are general conditions in St Bernard's First School satisfactory?

ANSWER

THE HON THE MINISTER FOR EDUCATION, SPORT AND POSTAL SERVICES

Mr Speaker, within the constraints of a pre-war building, which is not purpose-built, the School provides for all its basic needs.

SUPPLEMENTARY TO QUESTION NO. 101 OF 1987

HON R MOR:

Isn't it a Government long-term policy to re-site that school?

HON G MASCARENHAS:

Mr Speaker, the re-siting of the school in that catchment area, again, presents difficulties for the Government, the problem is - where? Long-term, yes, but again it is not a priority of the Department at this stage.

MR SPEAKER:

Next question.

24 3 87

NO. 102 OF 1987

ORAL

THE HON R MOR

Is St Mary's Middle School in need of additional accommodation?

ANSWER

THE HON THE MINISTER FOR EDUCATION, SPORT AND POSTAL SERVICES

No, Sir. The accommodation at Sacred Heart Terrace is ample in relation to the size of the School's population.

The Department is however pursuing the possibility of making use of the area occupied by the old Grammar School Laboratories to provide additional specialist facilities for the School, together with an enclosed gymnasium in the top patio. These works are very desirable as distinct from urgent.

THE HON MISS M I MONTEGRIFFO

Can Government confirm that they have reversed their policy announced in the last House of Assembly meeting, to charge retrospectively for the use of Government sporting facilities?

ANSWERTHE HON THE MINISTER FOR EDUCATION, SPORT AND POSTAL SERVICES

No, Sir, there has been no reversal of policy to that announced in June, 1986. However, Government has decided not to charge retrospectively upon the implementation of the Scheme.

SUPPLEMENTARY TO QUESTION NO. 103 OF 1987

HON MISS M I MONTEGRIFFO:

Mr Speaker, surely, if the Minister is saying that there is no reversal in their policy, what about the answer he gave me in the last House of Assembly meeting when he was adamant in charging retrospectively, surely he has changed his mind since then?

HON G MASCARENHAS:

Mr Speaker, the question is specific 'have Government reversed their policy announced in the last House of Assembly meeting to charge retrospectively?' I did not announce it in the last House of Assembly, it was announced in June. The policy announced in June has not been changed. What you are asking is a separate question.

HON MISS M I MONTEGRIFFO:

No, Mr Speaker, I am asking the Minister on the retrospective element. In the last House of Assembly meeting he announced that he would be charging retrospectively and that this was announced in June and he even went as far as to say that sporting associations had actually agreed to this.

HON G MASCARENHAS:

No, Mr Speaker, the sequence of events is not quite correct. In June of last year neither the Minister or the Department or anybody else had any idea that the implementation scheme would not take place in the coming winter season. What you are referring now is to the question in the last House of Assembly and yes, there has been a change of policy since the last House of Assembly but not on the general policy on charges.

HON MISS M I MONTEGRIFFO:

That is what I am asking, the Minister has changed his mind. There has been a change of policy. Will the Minister confirm that there has been a change of policy?

HON G MASCARENHAS:

Since the last House of Assembly, yes, Mr Speaker.

HON J C PEREZ:

If the Hon Member would have bothered to read the question he would have found out that it refers specifically to the last House of Assembly meeting.

HON G MASCARENHAS:

No, Mr Speaker, it says: 'confirm that they have reversed their policy announced in the last House of Assembly', I did not announce it in the last House of Assembly, it was announced in June of 1986.

HON MISS M I MONTEGRIFFO:

But, Mr Speaker, we are talking about the policy, surely the Minister must agree now that he has changed his mind about the policy?

MR SPEAKER:

Well, he has accepted the fact that there has been a change of policy insofar as retrospection is concerned since he made the statement in the last House of Assembly.

HON MISS M I MONTEGRIFFO:

Will the Minister explain why there has been a change of policy?

HON G MASCARENHAS:

Yes, Mr Speaker, because it would not be feasible to charge retrospectively in the order of five or six months in which there has been considerable delay in the implementation of the scheme. If the delay had been one month or two months, perhaps the Department could have lived with that but it is going to be highly unfair on some people from whom the Department will not be able to collect the charges and other people will get away and some will not get away and therefore on the advice of my Department I considered it would be better not to charge retrospectively.

HON J C PEREZ:

Did the Hon Member receive complaints from sporting associations to this effect since the last meeting of the House of Assembly?

HON G MASCARENHAS:

Mr Speaker, I cannot recall any association which has brought any complaints, no.

HON J C PEREZ:

Is the Hon Member aware then that they made their views public that they were fighting the retrospective element and that they had made representations to the Minister?

HON G MASCARENHAS:

If the Hon Member is referring to one particular association, yes.

HON MISS M I MONTEGRIFFO:

Mr Speaker, will the Government confirm that certain sporting associations have actually told the Government that unless adequate sporting facilities are offered by the Government, they are not prepared to pay for charges when they are introduced in June?

HON G MASCARENHAS:

Mr Speaker, that is not my information.

HON J BOSSANO:

Mr Speaker, will the Government not consider in the light of the fact that they had to reverse what they announced they were going to do in the last House of Assembly and that they have had to change their minds in their proposal in the last House to legislate retrospectively to increase contributions to the GPMS, that they ought to really stop trying to charge people retrospectively for things?

MR SPEAKER:

Next question.

NO. 104 OF 1987

ORAL

THE HON M A FEETHAM

Has Government now made a decision regarding the recommendations of the Conditions of Employment Board as to:

- (a) the Statutory wage for shop assistants and bar staff
- (b) a national minimum wage?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

No, Sir. The Board only made its final recommendations on 27 January, 1987, after considering a number of objections which had been made to their proposals.

The recommendation for a standard or 'national' minimum wage is a totally new concept for Gibraltar and the Government cannot be rushed into a decision without an assessment of the full implications of the proposals.

It has been necessary to seek the views of other Government Departments for this purpose and some of these views are still awaited. It is hoped to be able to submit the issue to Council of Ministers for their consideration within the next two to three weeks.

SUPPLEMENTARY TO QUESTION NO. 104 OF 1987

HON M A FEETHAM:

Mr Speaker, what is the problem with the implementation of the recommendations, can the Hon Member give details? It has been done every year.

HON DR R G VALARINO:

Mr Speaker, generally, what has been done every year are minor matters which in turn are presented to Council of Ministers and they are agreed to and it goes on like this. This being an entirely new concept for Gibraltar, we have had to ask other Government Departments for their views, the views are awaited and, as I said before, it is hoped to be able to submit the whole issue to Council of Ministers for their consideration within a few weeks.

HON M A FEETHAM:

Mr Speaker, what I was referring to was, in fact, what is the problem with implementation of a statutory wage recommended by the Conditions of Employment Board which has been with the Government since January, that is what I am asking, for shop assistants and bar staff? I am referring to point (a) at this stage.

MR SPEAKER:

What the Hon Member is asking is what is the delay in establishing the statutory wage for shop assistants and bar staff?

HON DR R G VALARINO:

Mr Speaker, because both things were taken by the Board at the same time and a decision was taken on both things at the same time, we have decided to put both together and present them as a package for consideration.

HON J BOSSANO:

Mr Speaker, hasn't the Hon Member just told us that this is a totally new concept into which the Government is not going to be rushed?

HON DR R G VALARINO:

On the minimum wage.

HON J BOSSANO:

Then how can he say that because the Government doesn't want to be rushed into a totally new concept, shop assistants are going to be deprived of their wage increase? Will he be giving them the increase retrospectively?

MR SPEAKER:

In other words, what the Minister is being asked is whether he is prepared to take a decision on the shop assistants immediately and not delay the matter.

HON CHIEF MINISTER:

I understand, Mr Speaker, that the recommendations were made together and therefore they are being looked at together. I agree that if, in fact, they were made separately one thing should be divorced from the other because it has national implications.

HON M A FEETHAM:

What we want to know, Mr Speaker, is when does Government intend to introduce the statutory wage for shop assistants and bar staff? It is a separate issue from the national minimum wage.

HON CHIEF MINISTER:

I don't want to interfere in my Friend's province but if what the Hon Member is asking about is the ordinary statutory wage increase for shop assistants that, I think, should not await the bigger issue and, in fact, if they have been made separately the Minister I am sure will see that that takes the normal course that has taken in the past.

HON M A FEETHAM:

When does the Government envisage that this will be introduced? We have been waiting since January, the appeals procedure was exhausted according to law, now it is up to Government to implement it. Does Government agree with the recommendations?

HON CHIEF MINISTER:

Government hasn't looked at them to agree but may I say that my understanding is that in the past the statutory wage, the only areas except for a few small additions that I remember, the only area where there is a statutory wage normally this has been agreed between employer and employee and has sought the Government's approval to an agreement. But as I understand it now, there has been no agreement between employers and employees. I may be wrong, but if that is the case then, of course, it requires to be looked into but in any case the other one which is a much wider issue, is one which will have very serious repercussions to employment and to the whole of the area and might even have some effects that might not be welcome and, in fact, as I understand it, the policy of the Trade Unions Congress in England is not to go for a statutory wage.

HON M A FEETHAM:

Mr Speaker, doesn't Government accept, as it has always been the policy in the past, that the Conditions of Employment Board make recommendations to Government on the question of statutory minimum wages for bar staff and shop assistants and that it has been normally done every year that that recommendation has been accepted? There is no question, having reached that stage, that there is any dispute between employers and other representatives like the trade unions, it is a Board recommendation. Does Government accept the Board recommendations, yes or no? It is a very simple question.

HON CHIEF MINISTER:

The answer is that Government hasn't collectively been appraised of the situation.

HON J BOSSANO:

Mr Speaker, is the Hon and Learned Chief Minister aware that the Board recommended a rate for shop assistants in November, 1986, which then was published, to which people were then able to object, whose objections were then reconsidered by the Board and the Board then made a final recommendation to the Government in January after having considered the objections, has the Government not yet looked at those recommendations since January?

HON DR R G VALARINO:

Mr Speaker, is the Hon Leader of the Opposition aware that the whole matter.....

MR SPEAKER:

No, let's not ask questions to the Opposition.

HON DR R G VALARINO:

I put them rhetorically, the whole matter could have been dealt with much earlier if there had not been a delay of four months in receiving nominations from the Trades Council when the Board was reconstituted last year. What he is now trying to do is to force the pace when last year we had to wait for four months.

MR SPEAKER:

If I may summarise, what you are being asked from the Opposition is whether Government is prepared to take an immediate decision on statutory wages for shop assistants?

HON J BOSSANO:

We are asking for information. Forgetting whether the Board was nominated or not which has nothing to do with us or this House, Mr Speaker, the Board is appointed by the Governor, can the Hon Member tell us what has happened since the 27th January when he has had the recommendation? What has he done as Minister for Labour since then?

HON DR R G VALARINO:

Mr Speaker, I see he has obviously changed his hat now. What I can say is that the Department are looking at both things together. We will get a paper for Council of Ministers and within two or three weeks they will get the answer. It is as simple as that.

HON J BOSSANO:

In fact, the Hon Doctor, with whatever hat he is wearing at this particular time, is telling us that he has done nothing since the 27th January and he is going to do it within the next two or three weeks?

HON DR R G VALARINO:

Mr Speaker, I wish the Hon Member would take those words back.

HON J BOSSANO:

I have no intention to do so, Mr Speaker.

HON J C PEREZ:

Can Government state whether the implications being looked at about the national minimum wage relates specifically to the concept of a national minimum wage or to the rate being proposed by the Board?

HON DR R G VALARINO:

Mr Speaker, both things.

MR SPEAKER:

Next question.

24 3 87

NO. 105 OF 1987

ORAL

THE HON M A FEETHAM

Can Government give details of the recent survey carried out by the Labour Department at the frontier aimed at identifying persons working in Gibraltar without work permits?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, the survey was carried out from 12 to 16 January between the hours of 7.00 am to 10.00 am. During that period, 841 persons were interviewed, 277 females and 564 males.

Of the persons interviewed, 341 males and 23 females had valid work permits and 174 males and 176 females did not have such permits. The remainder of the persons interviewed were either visitors or pensioners.

Those who did not have work permits were advised of the procedure which should be followed in order to regularise their employment situation.

As a result of the survey a number of applications have been received from employers for work permits, particularly for female domestics. The survey has also assisted in identifying areas where inspections need to be intensified and this has been done.

It is proposed to carry out a further survey within the next few weeks.

SUPPLEMENTARY TO QUESTION NO. 105 OF 1987

HON M A FEETHAM:

What the Minister is saying is, in fact, that people who were found to be working in Gibraltar illegally were advised as to what they should do to legalise their position?

HON DR R G VALARINO:

Exactly, yes.

HON M A FEETHAM:

What legal action has Government taken against people who are, in fact, employing workers illegally in Gibraltar?

HON DR R G VALARINO:

Mr Speaker, this is where the inspectorate comes in. If the inspectorate finds anybody working illegally in Gibraltar, ie without a work permit, then what they do is they prepare a report, they make sure that the person is not allowed to work any further and the

details of the case are sent to the Attorney-General's Chambers for legal action should the Attorney-General feel it necessary. As he can see from the newspapers it has been a recurring thing that we have been carrying out.

HON M A FEETHAM:

Mr Speaker, but the Minister has said that, in fact, if I have added my sums correctly, that he identified 350 persons working in Gibraltar illegally. What I am asking is, how many of these cases have, in fact, the Government taken or the inspectorate taken legal action on? How many cases have been submitted to the Attorney-General? We are talking about 350 people working in Gibraltar illegally identified by the Government.

HON DR R G VALARINO:

Mr Speaker, not in this case because this was the original survey. What they have been appraised is of how to regularise their employment situation. The next survey which will be carried out within two weeks will try to find out how many people have regularised their position and if they haven't regularised their position then we shall deal with them effectively. But, first of all, we have to inform them just in case they were not fully informed of the situation.

HON M A FEETHAM:

Having identified 350 persons working in Gibraltar illegally, in what manner has Government identified who the employers were and against what employers has Government taken action? You have spoken to employees, the onus is, am I not correct in stating, is on the employer not on the employee to regularise the position of the worker?

HON DR R G VALARINO:

Mr Speaker, as far as the employer is concerned, the inspectorate section has visited them and acquainted them of the procedure and of the people who had been working for them to make sure that their position is regularised.

HON M A FEETHAM:

Isn't it a fact that Government from time to time publish a legal notice in the press stating that any employer employing any worker without a work permit is liable to a fine of £500?

HON CHIEF MINISTER:

May I intervene here to say that a number of cases have been taken to Court, blatant cases even on a second occasion and they have only been fined £50 or £60 which is much less than three or four weeks national insurance.

HON M A FEETHAM:

With respect, Mr Speaker, I understand that the Court may decide in the end to fine the employer £50 but what I am saying is it is an important issue.....

MR SPEAKER:

No, with respect, you are beginning to make statements. You can ask for information.

HON M A FEETHAM:

How many of the employers have been identified and what action has been taken by the inspectorate of the Minister's Department to inform the Attorney-General of the employers which are breaking the law and how many cases have been taken to task by the Attorney-General?

HON ATTORNEY-GENERAL:

I don't know how many cases are taken to Court, Mr Speaker, I cannot give you the figures. I can inform you later of the figures that we have taken over the past two or three months. I know it is quite a large number, one of my Crown Counsel is almost permanently engaged taking these cases to the Magistrates' Court.

MR SPEAKER:

Next question.

24 3 87

NO. 106 OF 1987

ORAL

THE HON M A FEETHAM

Can Government confirm that over 1,000 Spanish workers are now employed in Gibraltar?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, the results of the survey carried out at the frontier would appear to indicate that the total number of Spanish nationals working in Gibraltar could exceed the figure of 1,000.

MR SPEAKER:

With respect to the Hon Minister, that is not the answer that I have been supplied with and we need that for Hansard.

HON DR R G. VALARINO:

The results of the survey carried out at the frontier would appear to indicate that the total number of Spanish nationals working in Gibraltar could exceed the figure of 1,000.

MR SPEAKER:

I am not going to read the answer that I have.

HON DR R G VALARINO:

I am sorry, you are perfectly right, my apologies, Mr Speaker. A total of 849 work permits were on issue to Spanish nationals as at 28 February, 1987.

SUPPLEMENTARY TO QUESTION NO. 106 OF 1987

HON M A FEETHAM:

What the Minister is saying is that roughly 1,000 are legally working in Gibraltar and because he has already identified 350 illegally working that, in fact, we may have 1,350 workers working in Gibraltar?

HON DR R G VALARINO:

No, Sir, I have said nothing of the sort. I may have been

mistaken on the first answer but the first answer says that a total of 849 work permits were issued to Spanish nationals as at the 28th February, 1987. Then I spoke about the survey carried out at the frontier. The other thing that he must remember is that some of these work permits are for a limited period so that at this present moment in time some of the work permits may no longer be in existence. It would be interesting to know at the end of March, 1987, the exact number of work permits in existence.

HON M A FEETHAM:

I take it, Mr Speaker, that what the Minister is saying which is more or less in line with a previous question when we referred to the Chamber, that the Government does not agree with what the Chamber said in its annual report.

MR SPEAKER:

With respect, I am not going to have questions as to whether Government agrees or disagrees with the Chamber. You ask for information.

HON M A FEETHAM:

The question is does Government consider the figure published by the Chamber of Commerce in its report to be accurate?

MR SPEAKER:

Government is not responsible to confirm whether the figures given by any entity in Gibraltar are correct or incorrect.

HON M A FEETHAM:

Mr Speaker, I accept that. Will Government state whether, in fact, it agrees or does not agree with Sir Geoffrey Howe when Sir Geoffrey Howe said publicly and officially that there were over 1,000 workers working in Gibraltar?

MR SPEAKER:

Order, with respect, you have asked a question and you can ask supplementaries on the question but you cannot expand. The question that you have asked is: 'Can Government confirm that over 1,000 Spanish workers are now employed in Gibraltar?' We must take it to be legally employed in Gibraltar and you have been given an answer.

HON M A FEETHAM:

I have been given an answer, Mr Speaker, of 849 but what I am asking now is that since that figure and the official figure quoted by Sir Geoffrey Howe presumably on advice from official circles in Gibraltar said that over 1,000 workers were legally working in Gibraltar, does Government agree that Sir Geoffrey Howe is right or wrong because it doesn't agree with the Chamber of Commerce.

HON DR R G VALARINO:

Mr Speaker, I am not responsible for whatever Sir Geoffrey Howe says on television or on radio.

HON M A FEETHAM:

That is an understatement, Mr Speaker.

HON J BOSSANO:

If, in fact, Mr Speaker, the Foreign Secretary of the United Kingdom makes a statement in an interview quoting an incorrect figure, is the Government not concerned about correcting the information if he has been given incorrect information from sources in Gibraltar?

HON CHIEF MINISTER:

May I ask a rhetorical question, who says that he is not appraised of that?

HON J BOSSANO:

So then the fact is that the Government is aware that Sir Geoffrey made this statement that has taken steps to put him right.

HON CHIEF MINISTER:

I said who said that he is not appraised that the statement may or may not be wrong?

MR SPEAKER:

What you are being answered is that it has not been stated whether he has or he has not been appraised, he might well have been.

HON J BOSSANO:

He might well have been and it is up to us to draw the conclusion whether he has or he hasn't. Why, is the Government not prepared to tell us or is that a secret, as well?

MR SPEAKER:

Next question.

NO. 107 OF 1987

ORAL

THE HON R MOR

What is the position as regards the payment of social insurance by persons employed on ships registered in Gibraltar?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Sir, as the law stands at present, persons employed on ships registered in Gibraltar are deemed to be in insurable employment and liability for payment of contributions rests with the employer. The employers themselves have an obligation to register and obtain an insurance card.

Because of the practical difficulties arising from the fact that most of the ships registered in Gibraltar do not call here the collection of contributions has not been enforced. Nevertheless, the non-payment of those contributions will not prejudice the seafarers' rights to entitlements.

The Government has for some time been considering amending its current legislation to bring it in line with UK legislation where a residence within the Community applies.

As a result of a recent visit by senior officers of the Department to UK to obtain up-to-date information on UK legislation and procedures, it is hoped to produce draft proposals for Government's consideration in the near future. Once the revised legislation is enacted, steps will be taken to enforce the collection of contributions.

SUPPLEMENTARY TO QUESTION NO. 107 OF 1987

HON R MOR:

Mr Speaker, did I understand the Hon Member correctly that seamen will be entitled to benefit without making contributions now?

HON DR R G VALARINO:

Yes, this is the case of social insurance legislation, they are entitled to contributions and are not prejudiced by the failure of the employer to pay the contributions.

HON J BOSSANO:

Is the Hon Member saying right at the end of his reply, Mr

Speaker, that steps are being taken, have the employers been approached with a request to pay the contributions or not?

MR SPEAKER:

Steps are being taken to produce new legislation.

HON J BOSSANO:

New legislation we may agree with or not agree with when the legislation comes to the House. What I am saying is, the legislation at the moment, what is the Department doing to seek collection now?

HON DR R G VALARINO:

At the moment, as I said, because most of the ships which are registered in Gibraltar do not come here, the collection of contributions has not been enforced and there are a lot of practical difficulties of enforcing any collection of any contributions. This is the crux of the matter and what we want to put right is to make sure that the employees are covered and that the revised legislation will be taken to enforce the collection of the contributions.

HON J BOSSANO:

Mr Speaker, when the Hon Member says that what he wants to put right is that the employees are covered, does he know who the employees are that are covered? How does he, in fact, ensure that these people can claim their rights without knowing who they are?

HON DR R G VALARINO:

Mr Speaker, obviously the answer is that crew lists are given periodically to us by the Shipping Agents including any changes in the crew.

HON J BOSSANO:

Since when, Mr Speaker?

HON DR R G VALARINO:

As I said, once we start dealing with this.....

HON J BOSSANO:

No, the Hon Member has said periodically, I am asking since

when does he get these crew lists because in the last House of Assembly we were told they didn't exists?

HON DR R G VALARINO:

I am talking about the future. I will ensure that they will be given to us periodically.

HON J BOSSANO:

But at the present moment, Mr Speaker, the Hon Member has just made a statement saying that although employers are not paying contributions it will not prejudice the rights of employees to entitlement to benefits. How does the Hon Member currently ensure that the rights of employees to benefits is not prejudiced?

HON DR R G VALARINO:

This is very simple. Their right is there and should anything untoward occur they can then contact the Department and they will find out how much they are entitled to and under what sections of the law they come under.

HON J BOSSANO:

Does he actually mean the wife of a seaman getting pregnant that that includes something untoward to which they can claim benefits, Mr Speaker? They are entitled to all the benefits under the Social Insurance Ordinance: Old Age Pension, Unemployment Benefit, Industrial Injury, Maternity Benefit, Death Benefit, all those benefits are claims which the Hon Member says will be respected by his Department in respect of all seafarers serving on the 100 ships registered in Gibraltar, am I correct?

HON DR R G VALARINO:

Mr Speaker, under the Employment Injuries Ordinance obviously they are covered otherwise.....

MR SPEAKER:

I know what you are getting at but we are not going to get involved on how the Ordinance is being implemented or can be implemented in this respect.

HON J BOSSANO:

No, Mr Speaker, I am asking for information. The Hon Member has said in reply to the original question that notwithstanding

the fact that no contributions have been paid in respect of any of the employees on any of the ships, the Department will respect the right and will ensure that they are not prejudiced in their rights to entitlement. I am now asking him, is that right to entitlement to the whole range of benefits under the Social Insurance legislation, yes or no?

MR SPEAKER:

I think, as the Chief Minister said, it must depend on certain benefits on contributions.

HON J BOSSANO:

There are no contributions, Mr Speaker.

MR SPEAKER:

That is why.

HON J BOSSANO:

If the Hon Member has told the House, Mr Speaker, that they will not be prejudiced, I am not asking him to explain how they will not be prejudiced in claiming all these benefits? First of all, I am asking him, can he confirm that the answer that he has given the House that they will not be prejudiced refers to entitlement to all benefits, yes or no?

HON DR R G VALARINO:

The answer to this is twofold, one because it covers two sections of the social insurance legislation, one is employment under the Employment Insurance Ordinance which they are obviously covered because they are in insurable employment and the other one is whether they are entitled to other benefits like, as he said, Unemployment Benefit, etc. Unemployment Benefit etc, depends on the number of contributions paid. Obviously, that then has to go by the number of contributions that could have been paid by the employer and if the number is right then they are entitled to it, if the number is not right then they are not entitled to it.

HON J BOSSANO:

Let me see if I have understood it right. What he is saying is that if a seafarer works on a ship for thirty weeks during which he should have paid social insurance but has not paid social insurance, the Department will pay him the unemployment benefit which he would have been entitled to had he paid but they have

made no effort to collect payment, is that correct?

MR SPEAKER:-

With respect, I accept what the Hon Leader of the Opposition is trying to get at but we are getting involved in the implementation of the Ordinance.

HON J BOSSANO:

No, Mr Speaker, I am asking for information.

MR SPEAKER:

No, it is not information.

HON J BOSSANO:

Mr Speaker, can I ask the Hon Member if a seafarer goes tomorrow to his Department to claim unemployment benefit how do the rules apply? Is that seeking information or not?

HON DR R G VALARINO:

Mr Speaker, the answer is simple, he will have to prove his employment, he will have to prove from what year he has been employed, there are various factors he would have to take up with the Department and the employer would have to be asked as well.

HON J BOSSANO:

But the Hon Member has said in his original answer that the fact that no payment is being made will not prejudice the rights of the employees to benefits. I am trying to establish, Mr Speaker, first of all, if that applies to all benefits.

MR SPEAKER:

What you are asking then is whether he still stands by that statement?

HON J BOSSANO:

I have got to assume that if it is a written answer, Mr Speaker, it is an answer that has been researched by the Department and that they know what they are saying. Is there any reason to suppose, Mr Speaker, that the Hon Member has changed his mind about what he said originally during the course of questioning?

HON DR R G VALARINO:

Mr Speaker, no, despite all the rubbish that has been said from the other side.

HON J BOSSANO:

Mr Speaker, if you will allow me to continue with my rubbish, with your indulgence, I would like the Hon Member to tell me whether I am right in assuming that the implication of his original answer is that it applies to the full range of all benefits provided under the Social Insurance legislation on the assumption that the people concerned would qualify had contributions been made which are not being made because his Department is not doing anything to collect them? Am I right in thinking that?

HON DR R G VALARINO:

Mr Speaker, I object to the last part of the question. My Department just cannot enforce and cannot collect the amount necessary. I very much disagree with the Hon Member there. As far as the beginning of his statement is concerned he is quite right.

HON J BOSSANO:

Then, Mr Speaker, getting to the last part of the statement to which the Hon Member objects, can he tell me since I was promised in the House by the Government in 1985 that steps would be taken by his Department to collect, what action has the Department taken since 1985 when we were promised that?

HON DR R G VALARINO:

Mr Speaker, since 1985 and I have got here Question No. 234 of 1985 so this is obviously the one which he is referring to, the Department has been closely involved with other Departments in the UK to find out about the insurability of mariners. There have been certain changes in legislation because of EEC attitudes and pressures and because we felt that the best way would be to get the information at first hand, we arranged for a visit by senior officers, which included the Deputy Director, to go to UK for a week and acquaint themselves with all outstanding information so that he could bring it back and we could then hurry up the revised legislation which we intend to put before the House.

HON J BOSSANO:

But, Mr Speaker, I am not asking that question. I am not asking the Hon Member what investigations have been done in UK or in Timbuktoo about the legislation anywhere else.

MR SPEAKER:

By implication you have been told that nothing has been done to collect contributions.

HON J BOSSANO:

But, Mr Speaker, I was told on the 26th June, 1985, in a question where we raised the legal requirement and I said to the Government: 'Would it not be desirable at the very least that companies that have got registered offices in Gibraltar and have got ships registered in Gibraltar should be informed by the Government that under the Social Insurance legislation they are required to pay social insurance for their crew?'. That was in June, 1985. And the answer that I received was: 'I would go further' - was the Government reply - 'I would say that it is essential that they be so informed by the Director of Labour and Social Security who is responsible for the enforcement of the law'. Has that been done since June, 1985?

MR SPEAKER:

I think you have been told, by implication, I am just trying to make clear what is happening, you have been told that subsequent to that a further decision has been taken, consultations have taken place and they have decided to do nothing until the new legislation is enacted.

HON J BOSSANO:

Mr Speaker, can the Hon Member tell me after June 1985, when a statement was made in the House of Assembly that something was going to happen, was that carried out or not? Was that commitment carried out or not after June 1985?

HON DR R G VALARINO:

Yes, Sir, enquiries have been made, shipping agents have been written to, UK has been written to on various occasions, we have paid a visit to the UK, we have tried to deal with this very complex problem as much as we can but it is an extremely complex problem therefore to end it all we have decided that the only answer is to go to UK to a particular section and get first-hand

information and for this we have sent the Director, despite all the knowledge that we had previously, we sent the Director and he has brought back information which is now of great relevance and differs somewhat with the information that we had obtained initially both from the UK and from ship owners.

HON J BOSSANO:

Mr Speaker, we are not asking the Hon Member that, we were told in 1986 that they were investigating the position elsewhere in order to change the law. What I am trying to establish from the Government is, have they made an attempt to enforce the law? Have they written to any ship owner in Gibraltar saying 'You should pay social insurance', yes or no? Has that been done?

HON DR R G VALARINO:

Yes, that has been done.

HON J BOSSANO:

Have they had a reply of people refusing to pay? Has everybody refused to pay? Have some people put arguments or have some people paid?

HON DR R G VALARINO:

Most of the people written to have put up arguments on the difficulties of the issue, Sir.

HON J BOSSANO:

But is it, in fact, on the difficulty of the issue, Mr Speaker, or on the fact that they prefer not to pay? If the arguments that have been put to the Hon Member are on the difficulties of the issue, can he explain to the House how it can be any more difficult for an employer who pays wages to deduct and pay social insurance because the wages have been paid to somebody on a ship than it is for somebody who is working in Gibraltar, what is the problem for the employer?

MR SPEAKER:

I am afraid we are getting too complex for question time. It is a matter perhaps which is important but we are not going to get any further at question time.

HON J BOSSANO:

Can I ask the Hon and Learned Attorney-General one question, Mr Speaker? Is, in fact, the Social Insurance Ordinance being broken currently by employers who with the knowledge of Government are not paying contributions?

HON ATTORNEY-GENERAL:

I would have thought that the answer to that was yes.

HON J BOSSANO:

Is the Hon and Learned Attorney-General not responsible for acting against people who break the law?

HON ATTORNEY-GENERAL:

Provided the matter is reported to me.

HON J BOSSANO:

Can the Hon and Learned Attorney-General take it I am now reporting it to him then and what does he propose to do about it?

HON ATTORNEY-GENERAL:

Then I would have to consult with the Department concerned to let me have the details or if the Hon Leader of the Opposition could let me have the details.

HON J BOSSANO:

So the Hon and Learned Member is saying that, in fact, action can be taken to get compliance with the law in this respect?

HON ATTORNEY-GENERAL:

It can be taken, of course.

HON J BOSSANO:

Then I would like to ask the Government whether as a matter of policy they propose to take action to ensure compliance with the law?

HON CHIEF MINISTER:

I think that whether a Government takes a matter to law or not

ultimately it is not the responsibility of the Government. The Government can propose but under the Constitution it is the Attorney-General who has to decide. I am not trying to shift responsibility, I am just trying to put the Constitutional issue in answer to a question which is not clear enough.

HON J BOSSANO:

So, in fact, what we are now being told, Mr Speaker, is that although we have known since it was confirmed in this House by the Government that the law was not being complied with and we were told that on the 26th June, 1985, the Government has not prevented as a matter of policy the Hon and Learned Attorney-General from acting and the Hon and Learned Attorney-General has not acted because although it was said so publicly in the House he requires what, a specific complaint about a specific case?

HON CHIEF MINISTER:

He requires evidence.

MR SPEAKER:

I am afraid we are now going into why the law has not been implemented.

HON J C PEREZ:

Mr Speaker, the Hon Minister for Labour has said that the responsibility for paying the social insurance contributions is the employers, then he went on to say that this has not been possible because the ships don't come to Gibraltar something which he hasn't expanded on and one cannot explain because if one Department which is the Registration of Shipping can collect registration fees every year, I don't see how it is that the Labour Department cannot collect social insurance contributions.

MR SPEAKER:

We will call the next question now. Next question.

24 3 87

NO. 108 OF 1987

ORAL

THE HON R MOR

When does Government expect the Actuarial Review of the Social Insurance Fund to be completed?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Sir, it is expected that the Actuarial Review will be completed towards the end of the year.

SUPPLEMENTARY TO QUESTION NO. 108 OF 1987

HON R MOR:

Will Government be making a copy available to the Opposition or are we likely to have the same problem we had the last time?

HON R G VALARINO

What happened last year was that the review was considered by Government and I believe he and the Leader of the Opposition were allowed to see that on a confidential basis, if I remember rightly.

HON R MOR:

So that will be done?

HON DR R G VALARINO:

Yes.

NO. 109 OF 1987

ORAL

THE HON J C PEREZ

When does Government propose to invite tenders for the work required to make safe the area below the water catchments?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

Mr Speaker, it is not possible to state at this stage exactly when tenders will be invited in connection with works to increase the stability of the ex-Quarry Company site below the Water Catchment areas.

SUPPLEMENTARY TO QUESTION NO. 109 OF 1987

HON J C PEREZ:

Can the Hon Member state whether he has already contacted the expert that he was going to contact over the matter, a certain Wallace Evans, who he told the House at the last meeting the Government was proposing to engage to look at the situation?

HON MAJOR F J DELLIPIANI:

Mr Speaker, the extent of the quarrying operations has been such that the immediate design of a stabilising structure is not possible without prior ground investigation works and further study. Consultants Wallace Evans and Partners have been engaged to carry out a study of the geotechnical and engineering aspects which will provide a basis for the design of the stabilising works required for the ex-Quarry Company site. Due account will be taken in carrying out the design of the possibility of widening part of Sir Herbert Miles Road. The consultants have already concluded on site exploratory works and their report is expected by the end of April.

HON J C PEREZ:

Since the Hon Member has said on a previous occasion that the area is deemed to be unsafe because of this, will he commit himself to effect whatever is recommended by the report in the coming financial year?

HON MAJOR F J DELLIPIANI:

Mr Speaker, the report will be studied and whatever is reasonable will be done in this current year.

HON J C PEREZ:

There is no reason for delay financially in that there is already provision made under the Improvement and Development Fund for the widening of Sir Herbert Miles Road so barring any other difficulties identified in the report could the Hon Member commit himself that the tenders for the work are invited immediately as a matter of

urgency due to the fact that the area is deemed by the Government itself to be unsafe?

HON MAJOR F J DELLIPIANI:

Mr Speaker, yes, Sir. We consider it to be urgent. There might be a lot of work involved in preparing the tender documents and, first of all, in studying the report but certainly it is the intention of the Public Works Department to give out these works to contract as soon as possible after the receipt of the necessary design work.

MR SPEAKER:

Next question.

NO. 110 OF 1987

ORAL

THE HON J C PEREZ

Can Government state whether the Rock face directly behind the Rosia Dale Housing Estate has been found to be unsafe?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Mr Speaker, the Rock face behind Rosia Dale is the property of the MOD. Some rockfalls have occurred from this face. The situation has been reported to PSA with the request that they should carry out the necessary protection work without delay.

SUPPLEMENTARY TO QUESTION NO. 110 OF 1987

HON J C PEREZ:

Does that mean that the Government recognise that it is unsafe since they are urging the PSA/DOE to actually do something about it?

HON MAJOR F J DELLIPIANI:

Mr Speaker, obviously it is unsafe because rockfalls have occurred. This particular rockfall occurred on the evening of Saturday 28th February, 1987, the Public Works Department and PSA were called in by the Police to examine the area and as a short-term precautionary measure the PWD will be erecting a higher fence in this area behind the existing penfold fence separating Rosia Dale Estate from the Rock face. Our information is that PSA intends to carry out rockfall protection works in the near future. May I add, Mr Speaker, that this fence is not intended to stop rockfalls but to prevent people from being in the area. I should add, Mr Speaker, that this morning I received a letter from the PSA confirming that they will be undertaking works this year in this area and that they will be contacting the Director of Crown Lands for access, etc.

HON J C PEREZ:

Can the Hon Member state whether he can recall that at the time of the planned project the PSA warned the Government of impending rockfalls in that area?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I cannot recollect that because I believe that the Rosia Dale Project was started before my time so I am not aware of it. If the Hon Member has information on the subject I will be happy to read about it and see why this warning was ignored.

HON J L BALDACHINO:

Considering the conditions that are faced at Rosia Dale, can this in any way affect the sale of Rosia Dale to sitting tenants?

HON MAJOR F J DELLIPIANI:

Mr Speaker, I don't think it will affect the sale. I consider the East side of the Rock like the catchment areas and the area above Catalan Bay to be more unsafe than this area in particular because of the sheer heights involved. As long as people are prevented from being in the approximate area of the Rock face I don't think that life is in danger. I think what one has to be careful is with children hence the idea of building a fence at this moment.

MR SPEAKER:

Next question.

24 3 87

NO. 111 OF 1987

ORAL

THE HON J L BALDACHINO

Can Government state if the site investigation at Engineer House has been completed?

ANSWER

THE HON THE MINISTER FOR PUBLIC WORKS

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 111 OF 1987

HON J L BALDACHINO:

Can the Hon Member give us an idea when he thinks that it will be completed?

HON MAJOR F J DELLIPIANI:

Mr Speaker, the site work is expected to start in early April. There have been various administrative difficulties which have prevented the company which has been awarded the tender to commence before on this area. I think it is something to do with tax, etc.

HON J BOSSANO:

Mr Speaker, are we talking about a specialist contractor from outside Gibraltar having to come to do this or are we talking about a local firm?

HON MAJOR F J DELLIPIANI:

We are, in fact, talking about two things in one, it is a firm not of local origin but represented by established local engineers and this is where the problem about taxation arises.

MR SPEAKER:

Next question.

NO. 112 OF 1987

ORAL

THE HON J L BALDACHINO

Can Government state if they intend to carry out the repairs needed on the Cubicles at 62 Town Range to improve its conditions?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, it is not proposed to carry out any improvements at 62 Town Range. This address does not, in fact, exist.

SUPPLEMENTARY TO QUESTION NO. 112 OF 1987

HON J L BALDACHINO:

Mr Speaker, maybe the Hon Member has got it down as Prince Edward's Road but the proper address for the Cubicles is 62 Town Range. I am referring to the ones at Prince Edward's Road.

HON M K FEATHERSTONE:

We have assumed the Hon Member refers to 39/41 Town Range, commonly known as 'El Corredor de las viudas', in which case it is proposed to eventually rehouse the tenants living there and improve its conditions by refurbishing it in the same manner that was carried out at 70 Prince Edward's Road.

MR SPEAKER:

Next question.

NO.113 OF 1987

ORAL

THE HON J C PEREZ

Can Government explain why the resurfacing of the south end of Main Street, which was included in the Road Works Programme announced by the Minister for Public Works, has not been proceeded with?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Mr Speaker, there have been delays to the resurfacing programme, particularly in the John Mackintosh Square area arising from:-

- a. Inclement weather ie periods of rainfall;
- b. Traffic problems and in particular those arising from the problem to the Seruya Building at the junction of Main Street/City Mill Lane;
- c. Business of the House of Assembly which has prevented the use of pneumatic breakers during certain days;
- d. The site at the North Side of John Mackintosh Square of the Friday Market which has impeded work on this day of the week.

Work in connection with the resurfacing of the south end of Main Street will be commencing shortly and will commence immediately after the programme in the Mackintosh area has been finished.

SUPPLEMENTARY TO QUESTION NO. 113 OF 1987

HON J C PEREZ:

So that means that the Hon Member will try and keep to his word in completing the whole resurfacing programme announced before the end of the financial year?

HON MAJOR F J DELLIPIANI:

I haven't got offhand what the programme was but certainly the south end of Main Street is the programme which I want to start in this financial year so I am hoping for the workforce which is at present working in this area to move to the south before the end of this financial year.

HON J C PEREZ:

With due respect to the Hon Member and I accept that he might have had delays in the surrounding area but he did say in one meeting of the House that the south end of Main Street was to commence in November and subsequently he said that the south end of Main Street was to commence in early January and the delays which he has mentioned, particularly as regards the surrounding area have only recently come to light, certainly they are not there since early January or since November.

HON MAJOR F J DELLIPIANI:

Obviously, Mr Speaker, there have been delays in some other of our programmes. All delays have a snowball effect and when you get the end you get the whole of the delays involved in other programmes but it is not because the section is not working well, the section is working quite well. They haven't had much experience because we haven't done much road works in the past but certainly the surfacing work is improving as they go by and it is getting better and better because they are getting more expert at it, they haven't had practice for a long number of years.

MR SPEAKER:

Next question.

NO. 114 OF 1987

QRAL

THE HON J C PEREZ

Have proposals now been put to the Staff Side for the employment of lifeguards on a permanent basis?

ANSWERTHE HON THE MINISTER FOR PUBLIC WORKS

Proposals have been discussed with the Staff Side.

SUPPLEMENTARY TO QUESTION NO. 114 OF 1987

HON J C PEREZ:

Proposals have already been put to the Staff Side?

HON MAJOR F J DELLIPIANI:

They are being discussed with the Staff Side, Mr Speaker. The matter is currently with the Establishment Officer, the Industrial Relations Officer has cleared with the Staff Side an advert to recruit lifeguards on a temporary basis for this coming bathing season which states that temporary lifeguards may have the opportunity of applying for a limited number of permanent life-guard/handyman post. The post will be advertised once conditions, etc are negotiated with the Staff Side. There have been informal contact between the Government Departments concerned and the Staff Side. Mr Speaker, it so happens that during the course of the day I popped into my office and I have an advert here in the Bulletin of Circulars dated 20th March which says: 'These vacancies will be advertised once the conditions, etc of the post are negotiated with the union'. Obviously, the union has agreed for the Department to advertise the post and I think it is in the process now of negotiating the job description for using the lifeguards during the winter period in useful work for the community.

HON J C PEREZ:

Will the Hon Member ensure that the matter is dealt with speedily so that those employed as lifeguards this summer may be in the full knowledge of the fact of what other ranges of duties would be required of them in the case that they should stay on on a permanent basis?

HON MAJOR F J DELLIPIANI:

Yes, Mr Speaker, I think, in fact, this is a good opportunity as we are creating a new kind of post that both the Government and the prospective employees of the Government coming to a good deal of benefit both for the Government, which is for the community, and for the individuals concerned. I am most anxious because I have been dealing with this matter since last year that this matter is dealt with and we get the best type of people to apply for these jobs who will then become permanent members of my Department.

MR SPEAKER:

Next question.

NO. 115 OF 1987

ORAL

THE HON J E PILCHER

Can Government confirm whether tourism expenditure for 1986 is calculated at £28m and if this represents 25% of the National Income as published by the Gibraltar Chronicle on the 3rd March, 1987?

ANSWERTHE HON THE MINISTER FOR TOURISM

Sir, Government can confirm that tourist expenditure for 1985/86 has been provisionally estimated at £22m and 22% of National Income. It is anticipated that tourist expenditure for 1986 should be at least £26m although there are as yet no estimate of National Income for 1986/87 available.

SUPPLEMENTARY TO QUESTION NO. 115 OF 1987

HON J E PILCHER:

Mr Speaker, £26m is the estimate?

HON H J ZAMMITT:

Yes.

HON J E PILCHER:

Is the Minister now able to break down that expenditure in different areas as was asked for in the last House of Assembly, visitor arrivals at hotels, excursionists, etc?

HON H J ZAMMITT:

No, Mr Speaker, I am sure it probably could be done but I am afraid I haven't got those details with me at this stage. If the mathematics of it are available by the Statistics Office maybe they could release it, I am not very sure, Mr Speaker. The figures, of course, that I am forwarding to the Hon Member are, of course, figures and statistics offered by the Statistics Office and obviously not by the Tourist Office so therefore I don't really have any direct confirmation of this.

HON J E PILCHER:

I know that, Mr Speaker, since in the last House of Assembly the Minister promised me an answer within ten minutes and then

found that this office did not have the information but rather was held at the Statistics Office. So the Minister is saying that, in fact, he doesn't have it or can he get it or is he not sure that he can get it?

HON H J ZAMMITT:

Mr Speaker, I am sure that if the question had been phrased as to a breakdown then every endeavour would have been made to have secured that but the question, I think, was much more general than a specific request for a breakdown item by item and I am sure that had the Hon Member asked that in his question, I feel sure that the information would have been provided but it is certainly very much beyond my realm here to provide the kind of breakdown that he is seeking.

HON J E PILCHER:

Mr Speaker, if I may, because I will be asking questions but I cannot let the Minister get away because Question No.35 of 1987 asked: 'Can Government state what is the estimated tourist expenditure for 1986 breaking it down as follows' and then I broke down what I wanted. The answer was: 'This information will not be available until summer 1987'. What I have asked the Minister now is is it possible for him to have a preview of that and he has said to me 'If you had asked that you would have got that'. Well, I didn't get it in the last House why should I get it in this House?

MR SPEAKER:

Because you didn't ask for it in this House, presumably.

HON H J ZAMMITT:

Certainly, Sir, the question as phrased I don't think the Hon Member could ask for any answer extended beyond what I have said. He knows very well, Mr Speaker, when the Hon Member mentioned the fact that I had assured him in all good faith of being able to furnish him with the figures and then I was told by the Statistics Office that they could not disclose them because they have not as yet been formulated and updated. I think I have answered the question as comprehensively as the question deserves.

HON J BOSSANO:

Mr Speaker, can I ask the Hon Member, the figure that he has given of £26m as a rough estimate, am I correct in thinking that, in fact, the figure for the previous year was £22m?

HON H J ZAMMITT:

It has been provisionally estimated at £22m, even that has not been closed, it was provisionally estimated at £22m.

HON J BOSSANO:

Could I ask if, in fact, the estimated increase of £4m has the Minister got any idea whether this is primarily due to day excursionists or is it primarily due to UK traffic, the £4m difference?

HON H J ZAMMITT:

Mr Speaker, exposing myself to be broken up in a subsequent meeting, I will endeavour to give my own personal opinion, I intend to think it is the UK traffic, Sir. It is the increased air communications that we have had with tour operators more than the excursionists which more or less has been the same as we had the previous year but flights have certainly increased but I stand to be corrected and I will have to eat humble pie if I am proved wrong.

NO. 116 OF 1987

ORAL

THE HON J E PILCHER

Can Government state what percentage of visitors to Gibraltar visited:-

- (a) St Michael's Cave
- (b) Upper Galleries
- (c) Moorish Castle
- (d) The Museum?

I must say, Mr Speaker, that obviously it is referring to 1986 which was left out of the question.

ANSWERTHE HON THE MINISTER FOR TOURISM

Sir, it is impossible to accurately calculate what percentage of visitors to Gibraltar visited the Tourist sites as the only statistics available for these sites show total entries which include visitors to Gibraltar, residents, servicemen and their families etc. In addition the statistics currently available for visitors to Gibraltar include persons on transit via the Airport and Port.

However, I will supply the figures for total visitors to Gibraltar and total visitors to the sites, which are as follows:-

Visitors to Gibraltar during 1986	2,807,900
Visitors to St Michael's Cave	370,144
Visitors to Upper Galleries	56,608
Visitors to Moorish Castle	17,038
Visitors to Gibraltar Museum	34,500

NO. 117 OF 1987

ORAL

THE HON J E PILCHER

Can Government now state what was the average sleeper occupancy levels for all hotels in 1986 and of this what levels were tourist occupancy?

ANSWERTHE HON THE MINISTER FOR TOURISM

Hotel statistics for 1986 have as yet not been finalised. These will be published in the Hotel Occupancy Report in due course. It is estimated however, that average sleeper occupancy rates for 1986 will be similar to those of 1985 ie 49%-52% for all visitors and 37%-40% for tourist arrivals.

24 3 87

NO. 118 OF 1987

ORAL

THE HON J E PILCHER

Can Government now state how many arrivals were recorded in all hotels in 1986 and what percentage of these were tourist arrivals?

ANSWER

THE HON THE MINISTER FOR TOURISM

Arrivals at hotels for 1986 are estimated at 56,000. Of these, 80% were in respect of tourists.

THE HON MISS M I MONTEGRIFFO

Will Government make provision in the 1987/88 Estimates for the employment of a Dietician?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Yes, Sir.

SUPPLEMENTARY TO QUESTION NO. 119 OF 1987

HON MISS M I MONTEGRIFFO:

When will the Government, Mr Speaker, be bringing out the actual advertisement to employ a Dietician?

HON M K FEATHERSTONE:

An advertisement is now being prepared to try and recruit a suitable person from the United Kingdom.

HON MISS M I MONTEGRIFFO:

Can the Minister commit himself to say when the advertisement will be brought out?

HON M K FEATHERSTONE:

Normally we get somebody about eight weeks after advertising, if the advert goes out next week it will take about two months.

HON MISS M I MONTEGRIFFO:

So, Mr Speaker, the Minister is saying that the advert will be coming out in about two weeks time, is that correct?

HON M K FEATHERSTONE:

Yes.

MR SPEAKER:

Next question.

THE HON MISS M I MONTEGRIFFO

When does Government intend to make the report of the Review Team for the Medical Services public?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, the Government intends to make the report public once it has had the opportunity to study it closely.

SUPPLEMENTARY TO QUESTION NO. 120 OF 1987

HON MISS M I MONTEGRIFFO:

Mr Speaker, can he give a more definite date of when that is expected?

HON M K FEATHERSTONE:

Sir, the team studying the Report is due to submit its findings by the middle of April. I would hope that it will become public a little while after that.

HON MISS M I MONTEGRIFFO:

Mr Speaker, can the Minister hand a copy to the Opposition in anticipation to it being made public?

HON M K FEATHERSTONE:

As soon as the Study Report has been finalised I will give the Opposition a copy, yes.

HON MISS M I MONTEGRIFFO:

Mr Speaker, will the Report be laid before the House so that we will have an opportunity to debate its contents?

HON M K FEATHERSTONE:

Would you repeat that, I didn't hear it?

MR SPEAKER:

Will it be laid on the table?

HON M K FEATHERSTONE:

If you wish it can be laid on the table of the House, yes.

MR SPEAKER:

Next question.

24 3 87

NO. 121 OF 1987

ORAL

THE HON MISS M I MONTEGRIFFO

When does Government expect to receive the full report of the Nurses Review?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, the report is expected at any moment.

24 3 87

NO. 122 OF 1987

ORAL

THE HON MISS M I MONTEGRIFFO

What steps has Government taken to implement the Interim Report of the Nursing Review Advisor?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, in order to implement the interim report of the Nursing Review Advisor, in other words, in order to advertise the new and re-designated senior nursing posts which Government has agreed, the Nursing Review Advisor was asked to submit draft job profiles which would then be agreed with the appropriate Staff Association. These job profiles have not yet been received, although I have been assured that they will be sent to me soon.

THE HON MISS M I MONTEGRIFFO

Can Government confirm that there are shortages of important items at St Bernard's Hospital like, eg linen, cotton wool, kleenex towels, gauze swabs, sprilon spray, medical cups, tube gauze applicators and other ward instruments?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 123 OF 1987

HON MISS M I MONTEGRIFFO:

Mr Speaker, why hasn't the Minister then not come out publicly denying these allegations in view that I wrote to him about three weeks ago requesting this?

HON M K FEATHERSTONE:

If the Hon Member listened to my broadcast on radio yesterday she would have heard that I had denied such allegations.

HON MISS M I MONTEGRIFFO:

Mr Speaker, but I wrote to the Minister on the 13th March and why haven't I received a reply?

HON M K FEATHERSTONE:

I did not think a reply was required. What I was requested to do was to publicly state whether the allegations made in a letter by a Mr Teuma were correct or not. I don't intend basically to dance to the tune of the Opposition.

HON MISS M I MONTEGRIFFO:

Mr Speaker, is the Minister saying that he has never received verbal complaints from patients that they have not been able to be administered with certain medical items because they have not been available, they have been out of stock?

HON M K FEATHERSTONE:

I am saying that I have not received complaints from patients. The question of linen there has never been a shortage, if the Hon Member simply means the laundry is not always received back on the same day which is the case, there is never less than sufficient linen in the Department. Cotton wool, gauze swabs, kleenex towels, by kleenex towels I presume they mean clinical towels, no complaints have been received by my senior staff of any shortage of these items. Sprilon spray - this is a controlled item which is obtained for patients when required. Other alternatives which are equally effective are in

regular use. Tube gauze applicators - no complaints have been received by senior staff. Medical cups - this is an area which is nevertheless being investigated. If the Questioner means tea cups, there was recently a shortage but some were bought locally, the consignment ordered from the United Kingdom has since arrived.

HON J BOSSANO:

Mr Speaker, so the Government is telling us that all these public accusations of serious shortages of basic items are pure invention, there is no truth in any of this, is that the situation as far as the Government is concerned?

HON M K FEATHERSTONE:

They must be the invention of the person who put it in because it is not true, no.

HON J BOSSANO:

Doesn't the Minister think it is important if something like this is said publicly and it is not true that it should be immediately counteracted because, surely, the Government accepts that statements like this must affect the confidence of the patients in the system and in the medical services and if they are not true then they should be denied and if they are true they should be put right, surely?

HON M K FEATHERSTONE:

They were denied in a broadcast yesterday.

HON J BOSSANO:

But, Mr Speaker, yesterday was after the question was in and surely doesn't the Minister agree that if, in fact, he knows that this is not true then he shouldn't wait for questions, he should immediately on his own initiative come out and say: 'This is a load of nonsense and people do not have to worry because none of this is happening'? Doesn't the Minister want to make sure that people have confidence in the services for which he is responsible?

HON M K FEATHERSTONE:

I had a letter in the Gibraltar Chronicle about six or seven days ago.

HON J BOSSANO:

Could I ask one final question, Mr Speaker? Should, in fact, situations arise where it is demonstrated to the Minister that there are shortages in these items, would the Minister agree that items like these are basic essentials of running a hospital and that, in fact, the money must be provided to ensure that the stocks are available, would he agree with that?

HON M K FEATHERSTONE:

The situation is that stocks are available. As I said in my broadcast yesterday sometimes perhaps a ward may run short but the hospital has the stocks, a requisition has to go down and be fulfilled by the person who completed the requisitions.

HON J BOSSANO:

So if, in fact, it could be that the flaw in the system lies in that area, has the Minister looked into that possibility, that the stocks may be there but may not be getting to where they are needed?

HON M K FEATHERSTONE:

As I say, no reports have been made of shortages to my senior staff.

MR SPEAKER:

Next question.

NO. 124 OF 1987

ORAL

THE HON MISS M I MONTEGRIFFO

Can Government confirm that cleaners at St Bernard's Hospital are issued with one bottle of washing-up liquid and one of bleach for a whole month and that this means that they end up washing the floors just with water?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 124 OF 1987

HON MISS M I MONTEGRIFFO:

Can the Minister explain to the House if he has actually asked for a full report on this and what sort of investigation he has carried out?

HON M K FEATHERSTONE:

Sir, the cleaning materials supplied to wards and departments monthly are two litres of bleach, three litres of washing liquid, two litres of teepol, two litres of disinfectant, mops when requested, gloves when requested, steel wool when requested, oven cleaner when requested, soda, vim and powder soap when requested, and polish whenever needed. If the above cleaning materials run out before the month is up these are supplied immediately from the Stores Department. I am not sure the size of the bottle but I don't think they are as big as two litres or three litres. If it was a three litre bottle it would be true that only one bottle was supplied. I think the bottles are normally one litre.

THE HON MISS M I MONTEGRIFFO

Can Government confirm that when the question of overflow in the public wards at St Bernard's arises, patients with booked admissions are sent home despite there being empty rooms in the Private Corridor?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, when the surgical wards are full, and beds are available in medical wards, any overflow is channelled to these empty beds. The reverse is also true. When both the surgical and medical wards are full, patients are sent home even if there are empty rooms in Private Corridor. However, emergencies are never turned away, and if need be are admitted to a bed in the Private Corridor.

SUPPLEMENTARY TO QUESTION NO. 125 OF 1987

HON MISS M I MONTEGRIFFO:

Mr Speaker, is the Minister implying that if the case is not an emergency one then the situation does arise?

HON M K FEATHERSTONE:

The case could arise, very rarely I would think, when a booked admission was turned away but it is very rare because there is usually room in the medical wards when the surgical wards are full without encroaching on the private corridor. The private corridor also is fairly full at times.

HON J BOSSANO:

Does he know, for example, whether this has happened at all in the last three months or if it has happened how often it has happened? Has he asked for figures to show whether it is a serious problem or not, Mr Speaker?

HON M K FEATHERSTONE:

I will ask for figures for you, yes.

MR SPEAKER:

Next question.

NO. 126 OF 1987

ORAL

THE HON MISS M I MONTEGRIFFO

Has the Minister now investigated the complaints about the state of disrepair at Napier Ward?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

I have, Sir. I am not satisfied with the state of repair of the floor covering of the ward, and I have accordingly directed that steps be taken to improve it.

SUPPLEMENTARY TO QUESTION NO. 126 OF 1987

HON MISS M I MONTEGRIFFO:

Mr Speaker, what about the other complaints that we highlighted about cockroaches and the state of the washing and the toilet facilities? Has he investigated this?

HON M K FEATHERSTONE:

The cockroaches disinfestation has been done two or three times, we have had no evidence of cockroaches in the last fortnight or the last three weeks. The question of the washing facilities, the bathroom I accept is rather small and congested but it is in an old part of the hospital and it would be very difficult to make those facilities bigger.

HON MISS M I MONTEGRIFFO:

Mr Speaker, in the light of these reports, is the Minister satisfied of the conditions as regards the maintenance of St Bernard's Hospital?

HON M K FEATHERSTONE:

I am always happy to have more maintenance done. The maintenance that has been done has been reasonably good but there are deficiencies in various areas, one of them is, for example, this complaint of the floor covering in Napier Ward, the lino is worn and cracked in places and really needs renewal. We are hoping to take steps in the forthcoming year to remedy this.

MR SPEAKER:

Next question.

NO. 127 OF 1987

ORAL

THE HON MISS M I MONTEGRIFFO

Can Government state when they will be introducing legislation for the implementation of the POM List?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, the matter is actively being pursued with the Law Draftsman.

SUPPLEMENTARY TO QUESTION NO. 127 OF 1987

HON MISS M I MONTEGRIFFO:

Mr Speaker, can the Minister give a date of when he expects the legislation to be brought to the House?

HON M K FEATHERSTONE:

If the Draftsman is reasonably rapid on drafting the legislation then I should hope it would be available within about a month.

MR SPEAKER:

Next question.

NO. 128 OF 1987

ORAL

THE HON MISS M I MONTEGRIFFO

What further action has been taken by the Committee set up to conduct an educational campaign on the dangers of AIDS?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, the AIDS Committee has drawn up a leaflet for local distribution based on the DHSS 'AIDS: DON'T DIE OF IGNORANCE' leaflet. Clearance has just been received from the UK for the use of material contained in the DHSS leaflet. The leaflet for local distribution has been written in both English and Spanish and arrangements for printing are being made.

SUPPLEMENTARY TO QUESTION NO. 128 OF 1987

HON MISS M I MONTEGRIFFO:

Mr Speaker, can the Minister say when he expects this leaflet to be circulated?

HON M K FEATHERSTONE:

I have just obtained the quotations for the printing. The printing should be started within a week, it will probably take about two weeks to print and then it will be circulated. There will be a media campaign to inform the public of the dangers of AIDS prior to their distribution.

MR SPEAKER:

Next question.

NO. 129 OF 1987

ORAL

THE HON J L BALDACHINO

Can the Minister for Housing state if all the dwellings of the Road to the Lines/Castle Ramp remodernisation programme have been allocated?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

Yes, Sir, all the dwellings which have been handed over by the Contractor have been allocated.

However, seven units are still to come from the Contractors and these will be allocated as soon as the works have been completed.

SUPPLEMENTARY TO QUESTION NO. 129 OF 1987

HON J L BALDACHINO:

Could the Hon Member state why they are taking so long for these seven units to be handed over?

HON M K FEATHERSTONE:

There has been a long delay in the delivery of the last seven units which should have been handed over early in 1986. Since then the contractor has been paying a fine of £350 a week. It is now expected the project will be completed by mid-April, 1987.

HON J L BALDACHINO:

Am I correct in assuming that these dwellings have problems and will the Government ensure that if they have problems they are rectified?

HON M K FEATHERSTONE:

They were old buildings which were being remodernised and with old buildings when you remodernise you often find many things that are wrong which you didn't anticipate at the beginning. I think this is the difficulty the contractor has run into.

HON J L BALDACHINO:

Has the Hon Member got any idea when they will be handed for allocation to the Housing Department?

HON M K FEATHERSTONE:

If they give them to us in mid-April, 1987, the Housing Department will start allocating around the end of April.

MR SPEAKER:

Next question.

24 3 87

NO. 130 OF 1987

ORAL

THE HON J L BALDACHINO

Can the Minister for Housing state when he intends to rehouse tenants at North Gorge, Town Range and White Rock Camp?

ANSWER

THE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, it is the intention to rehouse the tenants at North Gorge, Town Range and White Rock Camp, as soon as accommodation adequate for the family composition of these tenants becomes available.

SUPPLEMENTARY TO QUESTION NO. 130 OF 1987

HON J L BALDACHINO:

Will these tenants be subject to the same conditions as any other applicant in the Housing Waiting List for accommodation?

HON M K FEATHERSTONE:

Yes, Sir.

MR SPEAKER:

Next question.

NO. 131 OF 1987

ORAL

THE HON J L BALDACHINO

Can the Minister for Housing state if the new flats at Alameda Estate will be allocated under the 'musical chairs' policy?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, the allocation of post-war houses is determined by the Housing Allocation Committee. However the 'musical chairs' policy is always employed as a means of maximising the resources available. In the case of the new small flats at Alameda Estate, which consist of 2 rooms, kitchen and bathroom, there may be couples or single persons willing to surrender their large flats for one of these smaller units at Alameda Estate.

The vacated flat would then be allocated on points to a family in the Housing Waiting List.

SUPPLEMENTARY TO QUESTION NO. 131 OF 1987

HON J L BALDACHINO:

What the Hon Member is saying is that part of it will be allocated under the pointage system of the Housing Waiting List and part of it will be allocated under the 'musical chairs' policy, is that correct?

HON M K FEATHERSTONE:

No, I wouldn't say that it is going to be part one, part the other, I would say that the 'musical chairs' policy will be applied all the way through. The idea is to try and get these flats filled by single persons or couples to release bigger accommodation.

HON J L BALDACHINO:

Then, Mr Speaker, in the new flats at Alameda Estate there will not be a percentage allocated to the Medical Waiting List, is that correct, because he is going to use them for the 'musical chairs' policy?

HON M K FEATHERSTONE:

I would think something would be allocated to the Medical Waiting List, there are not many flats available so percentage would be rather small.

HON J L BALDACHINO:

With the exception of medical cases, apart from that, the other flats will be allocated under the 'musical chairs' policy. What percentage will be allocated for the Medical Waiting List?

HON M K FEATHERSTONE:

I think the medical category is 20%.

MR SPEAKER:

Next question.

NO. 132 OF 1987

ORAL

THE HON J L BALDACHINO

Can the Minister for Housing state how many families are homeless to date?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Sir, there are thirteen applications from persons claiming to be homeless. This group is made up as follows:-

4 Families

3 Married couples (no children)

5 single persons (males)

1 Mother and child

Of these, eight cases are squatters in Government properties, and one is a couple claiming to be living in a motor-car.

SUPPLEMENTARY TO QUESTION NO. 132 OF 1987

HON J L BALDACHINO:

Mr Speaker, has the Family Care Unit investigated to see if it is true that they are living in a motorcar or not because he has implied that he doesn't know?

HON M K FEATHERSTONE:

I am afraid I don't know the answer to that one.

HON J L BALDACHINO:

Could he then on this particular case ask the Family Care Unit to investigate to see if it is true?

HON M K FEATHERSTONE:

Yes, I will do. I presume you mean the case of a Mr Buttigieg.

HON J L BALDACHINO:

The one that the Hon Member has just mentioned. He said that there was a family claiming to be living in a motorcar, I presume that is the case and the Hon Member, as I understand, has said that he will ask the Family Care Unit to investigate.

HON M K FEATHERSTONE:

Yes, Sir, it is difficult to establish genuine cases of homelessness as the majority are cases of young persons claiming to have left home after having quarrelled with their families. In some instances this

situation is often known to have been self created to advance their position in the allocation of flats. We have to be extremely careful when people do claim to be homeless because it may be to all intents and purposes a put-up-job to jump the queue..

HON J L BALDACHINO:

Seeing that the people claiming to be homeless is on the increase, Mr Speaker, will the Hon Member reconsider the suggestion which I made in January, 1985, in Question No. 42, to have earmarked dwellings or have some sort of accommodation where these people can go on a temporary basis?

HON M K FEATHERSTONE:

Yes, this suggestion has just been put to me by Action for Housing. If Government can find an area where people can be temporarily put up when they are homeless we will try and do so. The difficulty is that very often when you get an area which you consider will be temporary, it turns into a permanent area.

HON J L BALDACHINO:

Does the Hon Member or his Department know why homelessness is on the increase? Have they investigated this?

HON M K FEATHERSTONE:

I haven't seen any evidence that it is on the increase, I think there is always around fifteen persons in the homeless category, perhaps it has actually decreased.

HON J L BALDACHINO:

According to the January, 1985, figure there were only eight, from eight to thirteen is an increase. Wouldn't the Hon Member agree with me that it is on the increase rather than on the decrease?

HON M K FEATHERSTONE:

I would agree it has increased since January but it tends to go up and down throughout the year.

MR SPEAKER:

Next question.

NO. 133 OF 1987

ORAL

THE HON J C PEREZ

Can Government state whether the employees who will be made redundant as a result of the closure of the Gibraltar Quarry Company, have been offered alternative employment in the Public Works Department?

ANSWERTHE HON THE MINISTER FOR HEALTH AND HOUSING

Yes, Sir, a written offer was made to TGWU on the 15 December, 1986, and rejected by TGWU on the 6 January, 1987.

SUPPLEMENTARY TO QUESTION NO. 133 OF 1987

HON J C PEREZ:

On what grounds was the offer made, what was the exact offer made?

HON M K FEATHERSTONE:

The conditions of the offer were that employment to be offered without any liability for previous service completed with the Gibraltar Quarry Company; employment to be at basic level of craftsman or labourer as appropriate and where applicable, subject to meeting the minimum qualification requirements; the offers of employment to be made as and when suitable vacancies arise provided this does not block promotion within the service; and the personnel concerned must be prepared to accept the level of pay and conditions applicable within the Government to the post offered.

HON J C PEREZ:

Mr Speaker, wouldn't the Hon Member agree that nothing extraordinary is being offered in that these are the same opportunities that people get who are on the dole?

HON M K FEATHERSTONE:

The situation really was that if you were a labourer with the Quarry Company you were offered the post of a labourer with the Public Works Department. The difference in the two jobs was that perhaps one had a high percentage of overtime and the other one didn't.

HON J C PEREZ:

Wouldn't it be better to allow people in the Quarry Company to apply for jobs that come in the Bulletin of Circulars internally for the Government as they come out?

HON M K FEATHERSTONE:

There is nothing to stop them doing so.

HON J C PEREZ:

Mr Speaker, there is at the moment something to stop them doing so, they are not allowed to.

HON M K FEATHERSTONE:

Who by?

HON J C PEREZ:

By the Department because they say that it is internally.

HON M K FEATHERSTONE:

Probably because the unions would be against it.

HON J C PEREZ:

Mr Speaker, I don't think that the union can be against it because when originally the Quarry Company opened the offer of employment to the Quarry Company it was made first to Government employees only and Government employees were given priority to apply to the Quarry Company in a Bulletin of Circulars advert so the same thing should be able to apply in reverse.

HON M K FEATHERSTONE:

If the unions are willing to give the clearance there is no difficulty.

HON J C PEREZ:

Will the Hon Member write to the union to this effect and make this offer?

HON M K FEATHERSTONE:

It is not my job to write to the unions, it should be the job of the persons concerned in wishing to apply.

HON J BOSSANO:

Mr Speaker, isn't it the case that, in fact, the pay rates and the conditions of the Gibraltar Quarry Company employees since the inception of the Company have always been covered by Gibraltar Government agreements?

HON M K FEATHERSTONE:

Yes, but the situation has been that they have been doing a considerable amount of overtime which they would not probably get if they were to move to the PWD.

HON J BOSSANO:

That is not the question, Mr Speaker. The question that I am asking is, is it not the case?

HON M K FEATHERSTONE:

Yes.

HON J BOSSANO:

Then, in fact, are they not de facto and have been for a number of years treated as if they were already in Government employment in that they have not had the freedom to negotiate their own rates of pay like any other commercial company has in Gibraltar?

HON M K FEATHERSTONE:

When they were originally employed they were told they would be paid at Government rates which they accepted.

HON J BOSSANO:

And therefore, Mr Speaker, isn't it reasonable if the company is going to be discontinued by the Government that they should be offered re-employment by the Government not on the basis of waiting as and when vacancies may occur which may create an interval between the time they stop working for one entity and the time they start working for another entity?

HON M K FEATHERSTONE:

They have never stopped working for the Quarry Company and opportunities have come up and they have not taken them.

HON J BOSSANO:

Mr Speaker, can the Minister not confirm that the answer that he read out on the conditions that had been offered to the employees was that they could apply for vacancies which went outside the service because they were not promotion vacancies as and when such vacancies went outside the service and that therefore employees from the Quarry Company can only apply on the basis of the answer read out by the Hon Member if the job is advertised internally and nobody internally applies for it and then it is advertised to all comers. Isn't that the case?

HON M K FEATHERSTONE:

I am not fully aware of the situation.

HON J BOSSANO:

Will the Hon Member look into it and particularly will he look into the fact that there appears to be a discrepancy between the kind of assurances that were given at the time in the House as to the fact that people would have relatively little problem in securing employment and what appears to have materialised and if there is a difference perhaps he can say whether it can be put right?

HON M K FEATHERSTONE:

I will look into it for you.

MR SPEAKER:

Next question.

NO. 134 OF 1987

ORAL

THE HON J C PEREZ

Has Government found an alternative site in the City Centre to ameliorate the parking problem?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Yes, Mr Speaker, arrangements are in-hand to surface the area reclaimed at Waterport to reprovide the Coach Park now at USOC. The USOC area will then be available to ameliorate to some extent the parking problem in the City Centre.

The Ministry of Defence have also been approached for the release of Naval Ground No.2. The matter has been raised in connection with current discussions by a Joint Working Group which is considering the limits of reclamation within the Harbour. It is in this context that consideration is being given to reprovisioning the football pitch.

SUPPLEMENTARY TO QUESTION NO. 134 OF 1987

HON J C PEREZ:

Mr Speaker, if and when Naval Ground No.2 is released, does Government propose to build a multi-storey car park there or just use the land available as a car park?

HON A J CANEPA:

I see the drift of the Hon Gentleman, whether we are just going to have parking on ground floor. I think that if Naval Ground No.2 were to be either no longer required for a sporting purpose or were to be reprovided then I think that one should maximise the land there and build a multi-storey car park.

HON J C PEREZ:

Since he seems to have no better use for the land he has reclaimed at Waterport and he is now transferring the coach park there, wouldn't he not consider reallocating the Naval Ground at Waterport and using Naval Ground No.2 to build a multi-storey car park in the centre of town?

HON A J CANEPA:

That is not the thinking of the Development and Planning Commission. The matter has been gone into in the context of the City Plan and the decision that has been taken is that the coach park should be reprovisioned at waterport in order not to have coaches going beyond the roundabout there by the fountain.

MR SPEAKER:

Next question.

NO. 135 OF 1987

ORAL

THE HON J L BALDACHINO

Can Government specify what conditions have been attached to the invitation to tender for the Brympton/Villa Victoria project?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Mr Speaker, the conditions attached to the development of Brympton/Villa Victoria were made public when tenders were invited in early February for the development of the area. I have therefore supplied the Honourable Member with a complete set of Tender Documents so that he can acquaint himself with all of the conditions. Briefly, the principal conditions can be summarised as follows:

- (a) proposals were invited for the construction of a residential development with a minimum of 42 units to be sold within a price range between £35,000 to £42,000.
- (b) preference in the sale of the units is to be given to purchasers returning a Government dwelling to the Government for re-allocation.
- (c) if the developer departs from the proposed selling price he will forfeit refund of premium offered for the land and the increase in the price will be shared 50/50 with the Government.
- (d) a 2 year licence agreement will be issued which will entitle the developer to a 150 year lease upon completion of the works.

SUPPLEMENTARY TO QUESTION NO. 135 OF 1987

HON J L BALDACHINO:

Can the Hon Member clarify one point where the sale will preferably be made to somebody who will give up a Government dwelling. I understand the thinking behind that but what happens if the dwelling is a pre-war dwelling because that would not go to the Housing Waiting List, will that person be considered exactly the same as if it was a post-war dwelling?

HON A J CANEPA:

It will be available for reallocation by the Government. I would say that that would qualify, how highly as against post-war dwellings I wouldn't be certain. There are some excellent pre-war dwellings.

HON J L BALDACHINO:

I am asking, Mr Speaker, because I don't know if the Hon Member is aware, that post-war dwellings are allocated under the pointage system and pre-war dwellings are allocated to social cases. What I want to know is if somebody in a pre-war dwelling were to apply and would leave a vacant place if he would be eligible in exactly the same way?

HON A J CANEPA:

I think he would be eligible, how he would stand against somebody, all things being equal, who is prepared to hand in similar post-war accommodation I don't know.

HON H J ZAMMITT:

Mr Speaker, there are quite a number of pre-war housing which are modernised, which have a bathroom and they are given out on the Housing Allocation Scheme.

HON A J CANEPA:

I think the Hon Questioner is thinking of those that are regarded as pre-war, fullstop, not remodernised. I would imagine that they would also qualify after those who give up post-war dwellings, in the normal course of events.

HON J L BALDACHINO:

Am I correct in assuming, Mr Speaker, that a person who lives in a Government dwelling and if he does not leave vacant possession for Government, for example, in the household there might be two persons and one might apply, he will be classed as the second category, is that right? The second category which is with the people normally in the Housing Waiting List?

HON A J CANEPA:

Yes.

MR SPEAKER:

Next question.

THE HON M A FEETHAM

Can Government confirm that it has had a request from the developers for an extension to the Water Gardens Development?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Yes, Sir. The Government has received an application from the developer of Water Gardens to continue the development along Waterport. The proposal is currently being considered on planning grounds.

SUPPLEMENTARY TO QUESTION NO. 136 OF 1987

HON M A FEETHAM:

Could the Hon Member give details of the developer's intentions and the proposals in mind?

HON A J CANEPA:

I think the intentions, broadly speaking, are to construct another three tower blocks but not as high as the ones currently being built.

HON M A FEETHAM:

Can Government confirm that, in fact, the extension would be by direct allocation, the land that we are talking about?

HON A J CANEPA:

It is not as simple as that, the matter is much more complicated because the area is currently occupied by Gibraltar Underwater Contractors, Mobil Oil, the Post Office, two bakeries and a Customs cubicle so it is not as straightforward as that.

HON M A FEETHAM:

What the Minister is saying is it hasn't been decided whether it may be by direct allocation?

HON A J CANEPA:

No. What has not been decided is, first of all, there are problems on planning grounds on height restrictions because of Civil Aviation Authority restrictions and, secondly, the feasibility of the whole scheme hasn't yet been determined bearing in mind these existing tenancies.

HON M A FEETHAM:

Has the developer given any indication if the initial problems of reprovioning etc were to be resolved satisfactorily, when they would be able to start the project and finish? Have they given any indication on that?

HON A J CANEPA:

I think the problems of reprovisioning are so considerable that I don't think they can at this moment realistically envisage any time-scale. What they have done has been to submit a proposal for outline planning permission. It is an outline planning scheme in order to get the reaction of the Development and Planning Commission on planning grounds.

HON M A FEETHAM:

Has the developer given any indication of how much they intend to pay for the land?

HON A J CANEPA:

That has not arisen.

HON M A FEETHAM:

So this is still a matter for negotiation between the Government and the developer should the project go ahead?

HON A J CANEPA:

Not necessarily the Government. I think that the developers would have to negotiate with some of the leaseholders there. I think they would have to overcome those hurdles before they are able to negotiate with the Government on the point that he is raising.

HON M A FEETHAM:

What the Hon Member is saying is, in fact, that there are a number of leases which cover the area which the developer wishes to develop and, in fact, whatever is the outcome is a matter for negotiation in terms of buying out the leases and Government may not actually benefit from the extension of the development in terms of revenue?

HON A J CANEPA:

No, the Government might benefit in terms of revenue or it might benefit in some other means in the process of negotiations but I don't see how tenancies that were given by the Government within the last five or six years, notably Gibraltar Underwater Contractors, Mobil Oil, I know that they got tenancies during my period of office as Minister for Economic Development, that has got to be resolved, first of all, and if it isn't resolved then the project, I would imagine, is a non-starter.

HON M A FEETHAM:

If these leases were negotiated and as a result of that there is a satisfactory settlement and a development gets off the ground, do I take it then that there is no onus of responsibility on the Government to reprovision the existing services because they will have lost all rights to being reaccommodated elsewhere?

HON A J CANEPA:

That is if any prospective developer were to buy out the interest that these people have. If they can buy out Gibraltar Underwater Contractors who are content in exchange for, let us say, £50m or £100m to wind up their activities then you have a different situation but my thinking is, obviously, that these entities want to continue with their current economic activity and therefore it is not so much a question of buying out but reprovisioning.

HON M A FEETHAM:

But what I am trying to extract from the Minister is what will happen if that area is, in fact, negotiated and Dragados y Construcciones or the developer

MR SPEAKER:

With respect, that is a statement, that is not a question.

HON M A FEETHAM:

Let me finish, Mr Speaker.

MR SPEAKER:

With respect, I know the rules and I know when I have to call someone to order. You are making a statement and you are not asking questions. You are free to ask whatever question you wish.

HON M A FEETHAM:

Can the Government give a commitment in this House that they will provide alternative sites to the existing services which are there or is there no commitment then?

HON A J CANEPA:

It doesn't arise, Mr Speaker. It doesn't arise at the moment. Why should I give a commitment in respect of something that may not be feasible?

HON M A FEETHAM:

Then why is it that the Government is considering at the level of the Land Board the proposals from the developer?

HON A J CANEPA:

Not at the level of the Land Board.

HON M A FEETHAM:

Or the Development and Planning Commission?

HON A J CANEPA:

The Development and Planning Commission, Mr Speaker. If the Hon Member were to submit an application to erect a tower block here where we are now sitting, the Development and Planning Commission would have to consider it. We have an application on town planning grounds for outline planning permission, we have to consider it.

HON CHIEF MINISTER:

A block of flats in the Piazza.

HON J BOSSANO:

And the matter has got no further than that at this stage at all?

HON A J CANEPA:

At this stage it hasn't got any further than that, no.

MR SPEAKER:

Next question.

NO. 137 OF 1987

ORAL

THE HON M A FEETHAM

Has Government made a decision with regard to the project submitted by Gibraltar Consultants Ltd for the construction of 300 Housing Units and other facilities at the Viaduct Reclamation?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

No, Mr Speaker. The future use of the area when reclaimed is currently being discussed by a working group of representatives from the Port, Public Works, Customs and Crown Lands in connection with port related activities and current demand for additional land for ware-housing and light industrial use.

The proposals submitted by Gibraltar Consultants Ltd will therefore be considered by the Development and Planning Commission in the light of the recommendations from this group and the overall number of planned residential developments.

SUPPLEMENTARY TO QUESTION NO. 137 OF 1987

HON M A FEETHAM:

So the Government, as a matter of policy, have not made a decision on the project?

HON A J CANEPA:

That is correct.

MR SPEAKER:

Next question.

NO. 138 OF 1987

ORAL

THE HON J E PILCHER

Can Government state whether the Laser Experience Show inside the World War underground tunnels, will be ready by April?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

No, Mr Speaker. The Scheme is a private venture in which the Government is not directly involved. The Government cannot say whether the project will be ready by April, 1987, as control of the area is in the hand of the MOD and it is not surplus to defence requirements.

Perhaps I could add, Mr Speaker, since the draft answer was prepared, that I held a meeting with those concerned last Friday and in the course of that meeting they informed me that they are aiming to make a start in June or July.

SUPPLEMENTARY TO QUESTION NO. 138 OF 1987

HON J E PILCHER:

I am somewhat baffled. It is a private contract between a second party and the Ministry of Defence in which the Gibraltar Government has no part whatsoever?

HON A J CANEPA:

Let me try to explain. The site in question which I think is Hays Level, these underground tunnels at Hays Level, are not surplus to defence requirements so the Ministry of Defence has no plans to transfer them to the Gibraltar Government. That does not mean, in the view of the Gibraltar Government, that the Ministry of Defence is able to deal in a commercial manner with sites or land or facilities that they hold without the Gibraltar Government having no interest in the matter. I said that we have no direct involvement, that doesn't mean we have no interest. We maintain a position with regard to revenue derived from any commercial activity by the Ministry of Defence, naturally.

HON J E PILCHER:

What the Hon Minister has said is really a point of principle of what the MOD can do with its land.

HON A J CANEPA:

That is what I am saying, yes.

HON J E PILCHER:

If they don't need it they pass it to the Gibraltar Government, but if they don't need it and can find a use for it then they don't need it.

HON A J CANEPA:

Well, the position is that they are held by the Ministry of Defence and that they have not been declared to be surplus to defence requirements. To that extent control of the area is a matter for them. If they are able to enter into arrangements with a private company in a manner that will safeguard the continuing defence interests, in other words, if there is some sort of emergency they are able to take possession of the area in question immediately, then that is a matter for them but where a three-year licence is granted by the Ministry of Defence, as I say, it is a commercial venture, we hold a position on the matter and the Director of Crown Lands is dealing with his opposite number in the Ministry of Defence in this respect.

HON J E PILCHER:

The situation is therefore not closed, the Gibraltar Government is pursuing the situation with the MOD because in the same way as a contract has been made with a private company, a contract could have been done with the Gibraltar Government on a three-year lease and then the Gibraltar Government could have passed that land (a) to the Heritage Trust, (b) to a private contractor, (c) for tourism, or whatever.

HON A J CANEPA:

If the tunnels in question had been transferred to the Gibraltar Government then we would be able to take a decision on their future. We are not able to take that decision because the land is not the subject of a transfer.

HON J E PILCHER:

But it is the subject of a three-year licence.

MR SPEAKER:

I think that what the Hon Questioner is asking is that if the Ministry of Defence can release the land on a temporary basis, it should be released to Government. Is that correct?

HON J E PILCHER:

Yes.

HON A J CANEPA:

There are precedents in this respect, Mr Speaker, for instance, there was a precedent, I believe, in respect of the Camber area which was owned by the Ministry of Defence but where boats were allowed to be berthed and the Government and the Ministry of Defence entered into an arrangement regarding the revenue derived. There are certain precedents and this is what the Director of Crown Lands is looking into in order to safeguard a natural interest that the Government has in the matter.

HON J E PILCHER:

Could the Opposition be kept informed of the results of these meetings and negotiations between the Ministry of Defence and the Government?

HON A J CANEPA:

Mr Speaker, if at the next meeting of the House I am in a position to give more information I will certainly gladly do so.

MR SPEAKER:

Next question.

NO. 139 OF 1987

ORAL

THE HON M A FEETHAM

Is Government now in a position to state what is the total commitment plan for the 1986/1990 Development Programme?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

I must confess, Mr Speaker, by way of preamble, that I had a certain amount of difficulty in knowing exactly what information the Hon Member was seeking and therefore I am not absolutely sure that I am providing what he wanted.

The estimated level of expenditure for the 1986/90 Development Programme is in the order of £20 million. The following are the main heads of expenditure:

<u>A. ODA Funding</u>	<u>Cost</u>
1. Hesse's Pumping Station	1,100,000
2. Electricity distribution (GSL)	1,100,000
3. Water Catchments	560,000
4. North Front Wells	250,000
5. Passenger terminal	90,000
6. Network analysis	60,000
	<hr/>
	£3,160,000
7. Port reclamation	to be costed
 <u>B. Other Main Projects</u>	
1. Elec. 4th Set/distr.	6,200,000
2. Airport Terminal	2,500,000
3. Engineer House	1,500,000
4. Tourism projects	1,073,000
5. St Anne's School (Extension)	546,000
6. Sir Herbert Miles Road	500,000
7. Occupational Centre	300,000
	<hr/>
	£12,619,000
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SUPPLEMENTARY TO QUESTION NO. 139 OF 1987

HON J E PILCHER:

Mr Speaker, if I may, could I have a breakdown on the £1,073,000 on the Tourist projects, what does that comprise?

HON A J CANEPA:

That is made up, Mr Speaker, of (a) a nature reserve - I am not sure what that means - £½m; (b) the Upper Galleries - £130,000; (c) St Michael's Cave - £93,000; (d) Europa Point - £50,000; (e) Air Terminal - £50,000; (f) Wellington Front - £50,000; (g) Piazza development - £200,000.

HON J L BALDACHINO:

Can the Hon Member say what the Town Range development consists of?

HON A J CANEPA:

I didn't say Town Range, Mr Speaker.

HON J BOSSANO:

Mr Speaker, is the Hon Member, in fact, telling us that the £1.5m which he is talking about Engineer House is the total projected expenditure on housing between now and 1990?

HON A J CANEPA:

No, Mr Speaker, there are other projects, I am pretty certain that there will be other projects included in the Improvement and Development Fund. At least let me put it this way, the Forward Planning Committee which I Chair, has submitted other projects in the draft estimates for next year but they are still to be considered by Ministers.

HON J BOSSANO:

If the Hon Member has given us a breakdown of £20m that is planned between now and 1990, is he saying that there is additional expenditure for the Improvement and Development Fund above this £20m then?

HON A J CANEPA:

Yes, in fact, I mentioned one project that has not been costed

which is Port reclamation. There is a project for the Tower of Homage, there are other possibilities of other new schools also in the programme. I have given as much information as I have been able to give on the current state of affairs.

HON J BOSSANO:

We are grateful to the Hon Member for the detailed answer he has given, Mr Speaker, but what I am trying to establish is does the breakdown that he has given us total £20m. I understood from what he had said that, in fact, the amount yet to be costed are part of the £20m?

HON A J CANEPA:

No, sorry, the breakdown that I have given is nearly £16m. There are other projects to be costed, in fact, I think we may well exceed £20m.

HON J BOSSANO:

Therefore what I am asking for is, in fact, if with the projects yet to be costed we could come to a total of £20m or over, is the sum total therefore planned for the Improvement and Development Fund the same figure as the figure that he has given us, that is, a £20m programme running from now to 1990?

HON A J CANEPA:

No, because there are projects in the Improvement and Development Fund that are not tackled here. For instance, the Telephone Department will have a number of projects which are not included here, the Electricity Department may have improvements to public lighting, those are not included here. Put it this way, what is here has to go into the Improvement and Development Fund but in the Improvement and Development Fund there may well be other projects.

MR SPEAKER:

Next question.

THE HON M A FEETHAM

Can Government state what results the Survey carried out by the Port Department has produced, arising out of the new Port Regulations introduced on the 1st January, 1987, which affected owners of small boats, as well as stating the total number of boats envisaged to be affected by the new Regulations?.

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, the Survey undertaken by the Port Department as a result of the implementation of the Port (Amendment) Rules, 1986, has shown that a number of vessels having engines in excess of 200HP are affected, as listed below:-

Marina Bay	18
Sheppard Marina	12
Camber	9
Montagu Basin	-
Other Sites	10
Registered as British Yachts in 1986	33

SUPPLEMENTARY TO QUESTION NO. 140 OF 1987

HON M A FEETHAM:

As a result of that survey, could the Hon Member state how many ships have, in fact, been registered and licenced?

HON A J CANEPA:

To date only three fast launch licences have been issued.

HON M A FEETHAM:

And what is the intention as regards the rest?

HON A J CANEPA:

The intention, Mr Speaker, is that amendments to the legislation are being considered in order to permit such vessels to be moored at Montagu and the Camber.

HON M A FEETHAM:

Mr Speaker, as I understand it, new Port Regulations were introduced which specify that certain launches of a certain size and power, in order to be able to operate within certain hours of the day, namely, ten at night and seven in the

morning, were required to be licensed. Do I take it that, in fact, there have been no approaches made to ensure that these boats obtain the necessary licence which they need to have under the new Regulations or is it that Government do not intend now to proceed with the licensing of these boats?

HON A J CANEPA:

The intention is in respect of the boats that I have mentioned which have got engines in excess of 200HP and which have been affected in the manner that we have described, the intention is to enable the position to be regularised for them. This is an anomaly under the existing legislation, the intention is to amend it in order that the position can be regularised so that they can be moored at the Camber and they can be moored at Montagu.

HON M A FEETHAM:

Mr Speaker, can they then move in and out of the waters of Gibraltar freely?

HON A J CANEPA:

I don't know the legal intricacies of the matter, Mr Speaker, I would require separate notice of that question.

HON M A FEETHAM:

The point I am getting at, Mr Speaker, is that if the Port Regulations state that a particular launch of 200HP which is petrol fuelled requires a licence and the same boat with a diesel engine of 200HP doesn't require a licence, wouldn't the Government agree that the Regulations in themselves as now put into effect are, in fact, not only discriminatory but cannot be enforced because it is, in fact, contradictory?

HON A J CANEPA:

There are anomalies in the legislation which have come to light as a result of representations made and steps are being taken to correct them.

HON M A FEETHAM:

In fact, the Minister does agree that at the end of the day it is preferable not to licence these boats until such time as the Port Regulations are either amended or regulated or another decision taken?

HON A J CANEPA:

No, I don't agree with that but I think I would agree to say that they need to be amended and they are going to be amended.

MR SPEAKER:

Next question.

NO. 141 OF 1987

ORAL

THE HON M A FEETHAM

Will Government state whether there is a required minimum manning level for the crew of Gibraltar registered ships?

ANSWERTHE HON THE MINISTER FOR ECONOMIC DEVELOPMENT AND TRADE

Sir, under the Gibraltar Merchant Shipping Ordinance minimum requirements for officers are set out in Section 3(1). These requirements accord with Section 92 of the Merchant Shipping Act, 1894, of the United Kingdom.

There are no minimum levels for crew under the Gibraltar Ordinance. However, as the Honourable Member knows, Gibraltar is working towards having various international safety conventions extended to Gibraltar, and one such convention will be the Minimum Crew Manning on Merchant Ships Convention.

SUPPLEMENTARY TO QUESTION NO. 141 OF 1987

HON M A FEETHAM:

What the Minister is saying, in fact, is that Government will be able to determine the minimum manning levels at some time in the future?

HON A J CANEPA:

Once this extension is extended to Gibraltar we will be able to lay down conditions under the Convention for minimum crew manning levels.

HON M A FEETHAM:

Presumably this manning level will be in line with the UK manning requirements?

HON A J CANEPA:

Yes, that is correct.

HON M A FEETHAM:

So, in fact, the existing viewpoint of Government as expressed publicly that if in a UK registered port a ship requires to have, for example, twenty crewmen in order to attract them

to Gibraltar we may be able to have eighteen or sixteen, is no longer the viewpoint of the Government because we will have to adhere to British standards, is that the case?

HON A J CANEPA:

Yes, we do adhere to British standards.

HON M A FEETHAM:

So, in fact, what the Minister said on television.....

HON A J CANEPA:

I may well have been wrong. I have not yet been granted papal infallibility, it might come in due course.

HON M A FEETHAM:

So, in fact, the Minister will agree that if we were to have continued in the present course as regards manning and other requirements people would have been entitled to criticise Gibraltar as being a flag of convenience?

MR SPEAKER:

That is hypothetical.

HON M A FEETHAM:

No, Mr Speaker, with respect.....

MR SPEAKER:

With respect, if you start saying 'If this had happened this would have been the result' it is most certainly hypothetical.

HON M A FEETHAM:

Mr Speaker, can I therefore re-phrase my question. As it is at the moment, have people been justified to criticise the Gibraltar Registry as being a flag of convenience because up to now we have not been adhering to British standards?

HON A J CANEPA:

I am sorry, Mr Speaker, my attention was distracted.

HON M A FEETHAM:

I have got all the time in the world for the Hon Member opposite because he has always been very good in giving information and I will repeat it for the third time. As it is at the moment the criticism which has been aimed at Gibraltar recently as regards the Registry of Gibraltar has been justified therefore because we have not been adhering to British standards as far as manning and other requirements are concerned? Isn't that a fact?

HON A J CANEPA:

I think we have been abiding by British standards in respect of safety requirements.

HON M A FEETHAM:

My question is on manning, Mr Speaker.

HON A J CANEPA:

But manning must be seen in the context of safety. You have got to be able to man a ship so that the full safety conventions and requirements can be enforced, that must be the criteria.

HON M A FEETHAM:

What I am asking is, Mr Speaker, is it in fact happening at the moment?

HON A J CANEPA:

Yes, I am advised that that is happening at the moment.

HON M A FEETHAM:

Does Government agree with the viewpoint taken by the Shipping Association when they said that ships registered in Gibraltar did not have to comply with the manning levels required by British standards?

HON A J CANEPA:

I am not prepared, Mr Speaker, to answer today in the House a question in respect of statements made in a programme on television by representatives of the Gibraltar Shipping Association without knowing fully what was said and without being able to consider the matter and take advice.

HON M A FEETHAM:

You were in the same programme.

HON A J CANEPA:

I know I was in the same programme but I am not responsible and you were in the same programme and I am not responsible for what you said or for what any member of the Gibraltar Shipping Association said.

HON M A FEETHAM:

But they were speaking with.....

MR SPEAKER:

Order. You see you are beginning to debate and that is what I am trying to stop and you get annoyed when I stop you.

HON M A FEETHAM:

Let's not get annoyed, Mr Speaker, we are having a jest.

HON A J CANEPA:

I may have made a mistake myself in any statements that I made, that is another matter.

HON M A FEETHAM:

Mr Speaker, I accept that.

HON J BOSSANO:

Can we establish then, Mr Speaker, what is, in fact, the required minimum level today for a Gibraltar registered ship?

HON ATTORNEY-GENERAL:

Mr Speaker, perhaps with United Kingdom ships, as I understand the position, the Board of Trade only make regulations as to manning levels, this is what section 43 of the 1970 Act says: 'The Board of Trade shall not exercise their power to make regulations requiring ships to carry seamen other than doctors and cooks, except to the extent that it appears to them necessary or expedient in the interests of safety'. As I understand it from the Captain of the Port to whom I spoke on this that when he is required to look at the manning levels he looks at it from

the point of view of safety and what is necessary in his opinion and he is the Registrar of British ships in Gibraltar and he fixes what he considers to be the safe manning level and no doubt with reference to his experience, reference to the manning levels applying in the United Kingdom, he will then determine the number. But it is safety with crews except, as I understand it, for cooks and doctors and no doubt the manning levels - I would admit that the Hon Leader of the Opposition could answer this better than I can - it is fixed in negotiations with the various seamen's unions as to what is decided to be the proper manning level as agreed with the National Union of Seamen. They may be overmanned but those are the criteria.

HON J BOSSANO:

Is the Hon Member saying, Mr Speaker, that there exists power under the Gibraltar Merchant Shipping Ordinance to fix minimum manning levels?

HON ATTORNEY-GENERAL:

It would apply. If you have got a Gibraltar registered ship before the Captain of the Port will decide whether it is safe to go to sea and what he will say: 'What is the manning level, how many have you got?' and then he will apply, I would have thought, the same criteria as to what is expedient and necessary in the interest of safety. I don't know if the Captain of the Port has been called upon to do it.

HON J BOSSANO:

What I am trying to establish, Mr Speaker, is what is happening today, I am not asking hypothetical questions. What I want to know is, if today a ship applies to register under the Gibraltar Registry can the Captain of the Port tell that ship owner what should be the minimum crew?

HON A J CANEPA:

Yes, he can determine the minimum manning levels.

HON J BOSSANO:

And that is stipulated under the current Merchant Shipping Ordinance of Gibraltar, is that correct?

HON A J CANEPA:

Section 92 of the Merchant Shipping Act, 1894, which was repealed in the United Kingdom but the repeal did not affect Gibraltar.

HON J BOSSANO:

Then, Mr Speaker, the original answer from the Hon Member opposite that in Gibraltar there is no minimum manning level possible other than for officers is incorrect, is that right?

HON A J CANEPA:

The stipulation that I have here in a supplementary note is that when required the Registrar of British ships, who is the Captain of the Port as the Attorney-General explained, determines the minimum levels of manning of ships registered in Gibraltar in accordance with the United Kingdom standards except for doctors, cooks, and so on in the interest of safety. What I am not certain legally is what is the view taken, what is the connotation to be put on 'determines' and 'when required', that is what I am not certain.

HON J BOSSANO:

Mr Speaker, the answer the Hon Member has just given me to my question is incorrect. One of the two answers must be incorrect because one answer contradicts the other one and I am trying to establish the facts.

HON A J CANEPA:

I have in the main answer a sentence which reads: 'There are no minimum levels for crew under the Gibraltar Ordinance'. Then Section 92 of the 1894 Merchant Shipping Act was repealed, it has no effect on the provisions of Gibraltar's Merchant Shipping Ordinance, I am informed, in the terms in which I have read. There would appear to be, at first sight, an inconsistency between the two stages.

HON J BOSSANO:

So, in fact, since there appears to be an inconsistency and I imagine the Government is not in a position to clear it now, can they clear the inconsistency and let us know which is the correct version.

HON A J CANEPA:

Yes, I will clear the matter up.

MR SPEAKER:

Next question.

HON A J CANEPA:

Mr Speaker, I don't know whether the Leader of the Opposition is outside and he is able to listen to what I am saying but I am now in a position to clarify the apparent inconsistency between part of the statement that I was making in the main answer yesterday to Question No.141 and the information which I then imparted in the course of supplementaries. The position, Mr Speaker, is that under our Ordinance there are no rules or regulations laying down manning levels for the crews hence the statement that I made in the main answer, and I quote: 'There are no minimum levels for crew under the Gibraltar Ordinance'. However, under Section 116 of the Merchant Shipping Ordinance, the Captain of the Port has power to detain vessels which are not sea worthy due to their being undermanned and hence the information that I was giving in the supplementary information that the Captain of the Port is in a position to determine the minimum levels of manning of ships.

HON J BOSSANO:

Can I ask for clarification. If the Hon Member has said that the Captain of the Port has powers to detain then, surely, it has nothing to do with whether the vessel is registered in Gibraltar or not but whether the vessel is in Gibraltar waters.

HON A J CANEPA:

That is so, it is regardless of whether a vessel is registered in Gibraltar or not.

HON J BOSSANO:

The question we were asking was about determining the manning levels for Gibraltar registered ships not ships of other nationalities.

HON A J CANEPA:

What happens in the case of Gibraltar registered ships, and I go further, is that the owner may request a certificate of safe manning and to get that certificate of safe manning then obviously it is the Captain of the Port that would have to determine the correct manning levels insofar as safety is concerned.

HON J BOSSANO:

But can, in fact, a ship owner that comes to Gibraltar and says: 'I want to register my ship here' be told: 'You have to have such and such a manning level otherwise you cannot register'. Is that possible or not?

HON A J CANEPA:

There is a relevant Merchant Shipping Notice issued by the Department of Transport in the United Kingdom which will be extended to Gibraltar in due course. When that happens then the Captain of the Port will be able to act in the manner that Mr Bossano is suggesting. At the moment he is only able to do so when required by the owner of the vessel who is seeking a certificate of seaworthiness.

HON M A FEETHAM:

So the answer is, in fact, that at the moment he has no powers to determine the manning levels of ships registered in Gibraltar?

HON A J CANEPA:

Unless somebody asks for a certificate of safety and he will only have powers to do so, in any event, when the shipping notice that I have referred to and which I was having a look at this morning is extended to apply to Gibraltar.

HON M A FEETHAM:

Mr Speaker, in fact, we do not meet British standards at the moment?

HON A J CANEPA:

Yes, we do meet British standards in respect of safety.

HON M A FEETHAM:

I am talking about manning levels.

HON A J CANEPA:

Yes, you do because a vessel could have a crew of fifty of whom thirty are seamen and it is the requirement for those thirty seamen that determines whether you are meeting British standards. The other twenty could be stewards or pursers and whether you have twenty stewards or eighteen stewards or fifteen has got nothing to do with the safety aspects, it is only in that context that there can be savings in respect of overall levels of crew.

HON J BOSSANO:

But at the moment, surely, Mr Speaker, the Hon Member has just said that we cannot require the ship to have thirty seamen or one seaman at all.

HON A J CANEPA:

That is the position at the moment.

HON J BOSSANO:

So therefore at the moment we are not meeting British standards.

HON A J CANEPA:

What we are aiming for, as soon as the relevant conventions are extended, is to be able to comply in respect of the Captain of the Port laying down the full manning levels in respect of safety.

HON ATTORNEY-GENERAL:

And, of course, Mr Speaker, the vessel can be prevented from sailing, a Gibraltar registered vessel sailing from Gibraltar if the manning is below safety standards, that is under section 116 of the Merchant Shipping Ordinance which applies to Gibraltar registered vessels as well as foreign registered vessels.

HON M A FEETHAM:

Mr Speaker, we agree to disagree on that.

NO. 142 OF 1987

ORAL

THE HON J C PEREZ

Will Government make arrangements for members of the public to have privacy when attending Government offices to deal with personal matters?

ANSWERTHE HON CHIEF MINISTER

Sir, arrangements are normally made for members of the public to have privacy when attending Government offices to deal with personal matters. If the Honourable Member wishes to draw attention to any specific case where this has not been done, I will gladly undertake to look into the matter and take whatever action may be necessary.

SUPPLEMENTARY TO QUESTION NO. 142 OF 1987

HON J C PEREZ:

Mr Speaker, I am referring more specifically to the Income Tax Office and to the Labour Department where there are matters raised by members of the general public at a counter and where there are people surrounding the counter and in queues listening to a lot of personal matters which necessarily need to be discussed in this Department?

HON CHIEF MINISTER:

I will certainly look into the second one with more detail. Because I anticipated that the question might be aimed at the Income Tax Office on which there have been previous complaints, I discussed the matter with the Commissioner of Income Tax and he tells me that people who go to discuss matters of an administrative nature, taxpayers themselves on PAYE, are brought into the office and discuss the matter with the relevant officer in his office. He said that there are two positions in the counter where people go to have their codes amended and there might well be people discussing a matter or a code and somebody behind waiting might be hearing. However, work has already started at St Jago's and facilities will be made there to ensure the utmost privacy in these matters. With regard to the Labour Department I will look into the matter and inform the Hon Member whether I can do anything in respect of that. I had not anticipated that and I therefore did not pursue that one but I was able to arrange the one on which there had already been mention at some time in the past.

HON J BOSSANO:

Will the Hon and Learned Member also look into the area of individual consumers of the municipal services like electricity and water where also there is a small window and a queue and people are required to sort of try and negotiate methods of payment of arrears and explain domestic circumstances why they have fallen behind. I think that is also an area that people should have the privacy of an office to discuss their personal circumstances.

HON CHIEF MINISTER:

I agree that matters of that nature requires separate attendance but insofar as routine matters are concerned, very much like the banks and other places, if there is a queue on a routine matter, if somebody overlooks whether you are cashing a cheque for £200 or £2,000 it is impossible to avoid. Certainly, arrangements for the payment of arrears is not a routine matter to be dealt with at a counter.

MR SPEAKER:

Next question.

NO. 143 OF 1987

ORAL

THE HON M A FEETHAM

Would Government consider introducing measures to up-date the electoral register every six months thus facilitating the position of those persons whose residential circumstances have altered and would therefore qualify for inclusion in the Register?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, as I stated in answer to Question No.71 of 1987 on 10 February, 1987, on the same subject, whilst the Government saw no reason in the circumstances described in my answer, to produce a new supplement I added that matters of this nature are normally dealt with on a consensus basis. I said I was prepared to consider any suggestion from the Opposition. I have not been approached since then and I will be happy to meet any representative of the Opposition to discuss the matter, as well as the possible procedures, time tables required under the present law and other details which would have to be taken into account.

SUPPLEMENTARY TO QUESTION NO. 143 OF 1987

HON M A FEETHAM:

Would the Hon and Learned Chief Minister accept the proposal as outlined in my question as a basis for consensus to satisfy the critics of the present system?

HON CHIEF MINISTER:

I didn't hear the question.

HON M A FEETHAM:

Will the Hon and Learned Chief Minister accept the basis of my question as perhaps a consensus to work upon straight after the meeting of this House, if required?

HON CHIEF MINISTER:

No, I think there ought to be formal consultations first. I must tell Members that, for example, the idea of two supplements or a supplement every six months would mean really having the staff six months in the year because it takes three months to

make a supplement, and if you are making two supplements a year it means you must have half a year on supplements by members of the staff of the House. Whether a supplement is done now or rather it is initiated now is another matter which I am prepared to consider. I have a paper here from the Electoral Registration Officer giving me the whole background of what is required and I think we ought to discuss this before I give an impression that the matter is an easy one and that I have no difficulty about this, there are difficulties apart from the expense but the point is that a supplement takes, in accordance with the provisions of the House of Assembly Ordinance, three months to complete.

HON M A FEETHAM:

Mr Speaker, I don't wish to get into the nitty gritty of the thing, what I am saying is will the Hon and Learned Chief Minister accept that we could perhaps meet to discuss the possibility of finding a way round the existing problem where people who at the time when an election is called have already resided in Gibraltar for six months and therefore because they are not in the register are deprived from the right to vote which is fundamental to anybody and certainly to democracy and that the present system as it stands and because there isn't going to be a supplement, is depriving a number of people from the right to vote and perhaps one way around it, this is a suggestion, is perhaps this system or something very similar. Will the Government accept to meet the Opposition to discuss this matter further?

HON CHIEF MINISTER:

I have invited the Opposition to approach me and I will be happy to discuss the matter.

MR SPEAKER:

Next question.

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NO. 144 OF 1987

ORAL

THE HON J E PILCHER

Will Government make available to the Opposition an unabridged version of the Price Waterhouse Report?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the Government is prepared to make arrangements to enable the Honourable Member to see a copy of the unabridged version of the Price Waterhouse Report on a confidential basis.

NO. 145 OF 1987

ORAL

THE HON J E PILCHER

Can Government explain why the Board of Gibraltar Shiprepair Limited did not insist in being provided with the information highlighted by the Price Waterhouse Report?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the points highlighted by the Price Waterhouse Report regarding the provision of adequate financial information were the subject of regular discussion by the GSL Board for a considerable time long before the Price Waterhouse Report. Concern was expressed by the Board well before the consultancy was commissioned. Indeed, the Board took appropriate action under the terms of the Management Agreement to correct the situation.

SUPPLEMENTARY TO QUESTION NO. 145 OF 1987

HON J E PILCHER:

Is it not true to say, Mr Speaker, that when Price Waterhouse first came to Gibraltar they found that the information that the Board was getting was not the information that the Board should have been getting and it was only on the second visit after having mentioned it on the first visit that the thing got better?

HON CHIEF MINISTER:

No, I don't agree with that. The Board expressed concern throughout 1986 and it was not that, it was not being provided with timely and reliable financial information. The managers explained that this was due to problems relating to the proper functioning of the computer system and the inaccurate date on stocks. These were highlighted in the internal audit report. APA at their expense engaged computer audit consultants to tackle the problem. By January, 1987, most of the problems appeared to have been resolved. The GSL Board will not be content until the company's auditors are satisfied that all systems are functioning properly and the financial information is considered to be reliable.

HON J E PILCHER:

Mr Speaker, there are two different points. One, I think, the

Hon and Learned Chief Minister has touched upon which is the realibility of the information that the Board was receiving because of the computer operation and this morning we did mention it and the Hon Financial and Development Secretary said that the question of the computer was being looked at by the Board and that a decision would be taken on the way ahead on the computer system. What I am asking, Mr Speaker, is the comment made by Price Waterhouse that information presented to the Board each month should contain balance sheets, profit and loss account, cash flow projections, contract summaries as regards outturn and work in progress, statements of capital expenditure, things which really are contained as the Hon and Learned Chief Minister has said although the actual contract is confidential, part of the management contract and it is only in February, 1987, when Price Waterhouse returned that they said: 'We are now encouraged that the main information pack includes the following' and they mention that. That is what the Opposition are trying to seek, why wasn't this information available to the Board before December, 1986?

HON CHIEF MINISTER:

The point is that the Board was aware that they were not getting the right information from 1986 and were claiming and taking action on it. Let me say that my information is that not only did they inform Appledore that they would not be paid in respect of certain services on which information was not being rendered but that they have, in fact, made claims against Appledore in respect of things that they feel that they have done wrong and this was done before the Price Waterhouse Report came into being. I would like to state here without going into further matters about this which might transcend what is convenient for commercial reasons, that I have gone into this before I decided to answer this question and I am satisfied that the Board have taken a very firm and strong action with Appledore about their failure to provide the necessary information.

HON J E PILCHER:

I thank the Hon and Learned Chief Minister for that information but the reality is that as far as the Opposition benches were concerned, all that we knew was that for 1985 and 1986 the CSL Board had been operating without any of these things and obviously not been able to do their job properly if they are not provided with the necessary information in order to gauge the company's work.

HON CHIEF MINISTER:

There was no opportunity for the Board to come public in this matter but now that it has been made public in the Report by Price Waterhouse, we can now say what the Board was up against and what it was doing.

HON J E PILCHER:

But surely, Mr Speaker, although I accept what has been said the Board was up against, by virtue of the management contract the Board could actually force the company to give them a breakdown of all these things because that is part of the management contract and yet they were trying for 1985 and 1986 unsuccessfully until early 1987.

HON CHIEF MINISTER:

No, 1986 is, according to my information, when really a hard line was taken by the Board, in 1986, and they started getting tough on the matter and have done so ever since and there have been now guarantees and so on but the claims that have been made arising out of that have not been settled.

HON J BOSSANO:

Mr Speaker, can we in fact deduce from what the Hon and Learned the Chief Minister has just said that, in fact, the recommended information specified in paragraph 212 on page 45 of the Price Waterhouse Report, ie the monthly statement on the balance sheet, profit and loss accounts, cash flow projections, none of that happened in 1985?

MR SPEAKER:

May I ask whether that Report is available to all Members?

HON J BOSSANO:

It has been published, Mr Speaker. Are we to understand that, in fact, this did not happen at all in 1985?

HON CHIEF MINISTER:

I am afraid that the details of 1985 are better known to my colleague than to myself, I can speak from 1986 onwards so I will leave him to deal with that.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, I can certainly say to the Hon Member that going back as far as 1984 when I was, of course, associated more

directly with the company, we did have information. The question I think, which arises is as to the accuracy of some of the information which was presented and also whether it was originally comprehensive. As I understand it, it is really that rather than a question of all or nothing that is at issue in this matter.

HON J BOSSANO:

Mr Speaker, we get less information from the Hon Financial and Development Secretary sometimes than we do from any of the elected Members of the Government. My question is very simple. There is a recommendation that the Board of GSL should be provided with a balance sheet, profit and loss and cash flow projections. We have got the Accounts of 1985 which the Hon Member is asking us to note. I want to know whether that information was provided during 1985 to the Board on a monthly basis or not, yes or no? However accurate the information was or inaccurate the information was, was it actually provided every month?

HON CHIEF MINISTER:

Yes, some information was being given but not all of it.

HON J BOSSANO:

Well, either you give a balance sheet or you don't give a balance sheet. I don't see how you can give part of a balance sheet so are we being told that they didn't have a balance sheet provided to them through 1985?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

To be more precise, the company did certainly have (1), (2) and (3) but insofar as I am aware they did not have (4) and (5) and having said that they had (1), (2) and (3) there were some because, inter alia, there were difficulties with the computer system, there were built-in inaccuracies in the information which was provided on a monthly basis.

HON J BOSSANO:

But the information was being provided on a monthly basis, that is what I am asking for?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I am sorry, I didn't catch that.

MR SPEAKER:

The information was being provided on a monthly basis.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, certainly, the company had from quite an early stage monthly statements, yes.

HON J BOSSANO:

As long as the Government is quite sure that that was happening, my information is that it wasn't happening.

HON CHIEF MINISTER:

Yes, but it became clearer, I think, that it was more incorrect and incorrect until they put a stop to it.

HON J BOSSANO:

The Hon and Learned Member has finished saying that is why they put a stop to it, did they put a stop to it in 1985?

HON CHIEF MINISTER:

No, I should have said that is why they took action on it.

MR SPEAKER:

Next question.

NO. 146 OF 1987

ORAL

THE HON R MOR

Can Government state whether there have been any new developments as to who will meet the cost of Spanish pensions beyond 1988?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the Joint Study Group which is looking into this matter is continuing with its deliberations and there is really nothing that I can report now.

SUPPLEMENTARY TO QUESTION NO. 146 OF 1987

HON R MOR:

Does the Government still maintain that the matter will be resolved long before 1988?

HON CHIEF MINISTER:

It has to be resolved before 1988.

HON J BOSSANO:

By December, 1987.

HON CHIEF MINISTER:

Before the end of 1988 because the money that is provided under the agreement finishes at the end of 1988. I am perfectly straightforward in my statements.

HON R MOR:

Mr Speaker, does the Government accept responsibility to ensure that this matter is resolved before there are general elections in Gibraltar?

HON CHIEF MINISTER:

That is a different problem. I wish we could say that with confidence, unfortunately the extent of the discussions that so far have taken place and the little progress that has been made does not augur well for the problem being solved long before the end of 1988 and therefore I cannot really say whether it will be before or after the general election which would in any case not be later than April, 1988.