

CEREMONIAL OPENING OF THE

SIXTH HOUSE OF ASSEMBLY

HELD ON

14TH APRIL, 1988

REPORT OF THE PROCEEDINGS OF THE HOUSE OF ASSEMBLY

The First Meeting of the First Session of the Sixth House of Assembly held in the House of Assembly Chamber on Thursday the 14th April, 1988, at 11.00 am.

PRESENT:

Mr Speaker (In the Chair)
(The Hon A J Vasquez CBE, QC, MA)

GOVERNMENT:

The Hon J Bossano - Chief Minister
The Hon J E Pilcher - Minister for GSL and Tourism
The Hon J L Baldachino - Minister for Housing
The Hon M A Feetham - Minister for Trade and Industry
The Hon J C Perez - Minister for Government Services
The Hon Miss M I Montegriffo - Minister for Medical Services and Sport
The Hon R Mor - Minister for Labour and Social Security
The Hon J L Moss - Minister for Education, Culture and Youth Affairs
The Hon E Thistlethwaite QC - Attorney-General
The Hon B Traynor - Financial and Development Secretary

OPPOSITION:

The Hon A J Canepa - Leader of the Opposition
The Hon P C Montegriffo
The Hon M K Featherstone OBE
The Hon Dr R G Valarino
The Hon G Mascarenhas
The Hon Lt-Col E M Britto OBE, ED
The Hon K B Anthony

IN ATTENDANCE:

J L Ballantine Esq, RD - Clerk of the House of Assembly (Ag)

ADMINISTRATION OF OATH OF ALLEGIANCE

The Speaker took the Oath of Allegiance and administered the Oath to the Hon J Bossano, the Hon J E Pilcher, the Hon J L Baldachino, the Hon M A Feetham, the Hon J C Perez, the Hon Miss M I Montegriffo, the Hon R Mor, the Hon J L Moss, the Hon E Thistlethwaite, the Hon B Traynor, the Hon A J Canepa, the Hon P C Montegriffo, the Hon M K Featherstone, the Hon G Mascarenhas, the Hon Lt-Col E M Britto, the Hon Dr R G Valarino and the Hon K B Anthony.

MOTION RE CONFIRMATION OF APPOINTMENT OF THE SPEAKER OF THE
HOUSE OF ASSEMBLY

HON CHIEF MINISTER:

Mr Speaker, you have once again been appointed by His Excellency the Governor as Speaker of this Assembly. It remains for the House to confirm the appointment by resolution. It is my pleasure to move that, pursuant to the provisions of Section 26 of the Constitution of Gibraltar, the House confirms the appointment of the Hon Alfred J Vasquez as Speaker of the Gibraltar House of Assembly. It is now nineteen years since you first presided over the affairs of this House and that is a record which speaks for itself and reflects the high esteem in which you are held by all Members of this House, both past and present and by the community as a whole. It is also a reflection of your dedication to serving the House and the people that you have agreed to continue for a while longer, though you wanted to retire, Mr Speaker, in the knowledge that it will be very useful in the context of the new composition of the House to be able to rely on your guidance and years of experience before a change in the Speakership takes place. I am grateful to you for this and I offer you the best wishes and support of all Members of this side of the House. Before ending my contribution on the motion, I feel that there is an absent member of the staff of the House who has served, as you know well, your office and all Members with outstanding dedication and loyalty for nearly seventeen years. I am referring, of course, to our Clerk, Paul Garbarino, who would have dearly treasured this moment and is, in fact, I know watching it although not physically present with us. He will appreciate that we record on this important occasion how much we all value the contribution that he has made to give our small Parliament the dignity and the standing that it has within Gibraltar and in its relations with the Parliaments of the rest of the Commonwealth. Mr Speaker, I commend my motion for the confirmation of your appointment to the House.

HON A J CANEPA:

Mr Speaker, from the Opposition benches we are, of course, utterly delighted to be able to support wholeheartedly the motion moved by the Hon the Chief Minister and to associate ourselves fully with all the remarks and sentiments that he has made. Not only in respect to you yourself, Mr Speaker, but also naturally in respect to what he has had to say about the Clerk of the House, Paul Garbarino, whom particularly those of us who have known him over the years and who have been fortunate not only in his dealings with us as Clerk of the House but also as Secretary to the Commonwealth Parliamentary Association, to accompany him on many occasions abroad, have learnt to value his friendship and his guidance.

Mr Speaker, you have during your tenure of office and those of us who have been Members of this House can testify to that over part of that time, you have succeeded in conducting the proceedings of this House with a sense of impartiality, fairness and with wise guidance. The new Members of this House will soon learn and discover that for themselves. We respect and fully understand your point of view regarding your wish to give up tenure of your office some time during this term of office and, as I say, having regard to the fact that you have been Speaker after all since 1970, I for one would not badger you in any way to try to get you to change your mind. But I want you to know that should you think of doing so we, on this side of the House, would be utterly delighted. It just remains for us, Mr Speaker, to thank you, to express our gratitude for the helpful attitude that you are adopting in giving this new House an opportunity to settle in and to affirm our desire to support and to help you by conducting ourselves in a manner befitting the dignity of this House.

The Clerk then put the question which was unanimously resolved in the affirmative and the motion was accordingly carried.

MR SPEAKER:

I must thank all Members for having confirmed my appointment as Speaker yet again. I would, first of all, like to take this opportunity to welcome the four new Members, one in the Government benches and three in the Opposition benches. To them I can say, what you veterans already know, you can rely on the Chair to ensure that you are able to carry out your responsibilities without fear or favour. As has been mentioned by both the Chief Minister and the Leader of the Opposition, I will not serve for the full four-year term and once the House has settled down to work and a successor is chosen, I will, perhaps with a little regret, a lot of nostalgia, but I will most certainly then be tendering my resignation as Speaker. I would like to end since time is pressing and we are working to a schedule, by associating myself with the sentiments expressed by the Chief Minister and the Leader of the Opposition about our Clerk, Mr Paul Garbarino. Paul and I have worked as a team and, as he very well knows, my thoughts are very much with him at this very moment. Again, my thanks and appreciation to all Members for the confidence and trust you have yet again placed on me. Thank you very much indeed.

ADDRESS BY HIS EXCELLENCY THE GOVERNOR, AIR CHIEF MARSHAL
SIR PETER TERRY GCB, AFC

HIS EXCELLENCY THE GOVERNOR:

Ladies and gentlemen, please be seated.

Mr Speaker, Hon Members of the Sixth House of Assembly. It is a great pleasure for me to be present at this opening session of the Sixth House of Assembly. May I begin by welcoming the new elected Members and those who have been re-elected, and by congratulating the new Government. I should also like to pay tribute to the outgoing Government whose Members served Gibraltar with dedication and distinction over many years.

Following the recent elections, Gibraltar has a new party in Government, with new faces and new policies. The people of Gibraltar have exercised their right to decide who shall represent them in accordance with the provisions of the Constitution and the principal of universal suffrage. The fact that more people than ever before exercised their right to vote in the recent election shows how much that system is valued.

At the outset of this new session it is important that I should stress once again Her Majesty's Government's commitment, enshrined in the Constitution, never to enter into arrangements under which the people of Gibraltar would pass under the sovereignty of another State against their freely and democratically expressed wishes. The past few years have seen a number of important developments affecting Gibraltar, but none of them should be construed as weakening that commitment in any way. No steps will be taken in the future that will alter Her Majesty's Government's fundamental undertakings to the people of Gibraltar.

In pursuing their responsibilities for Gibraltar's external relations, Her Majesty's Government will continue to be guided by their obligation to defend and promote the security, prosperity and freedom of the people of Gibraltar. Her Majesty's Government remain committed to the Brussels Agreement as the best way to rebuild confidence between Spain and Gibraltar, and will continue their efforts under that Agreement to overcome the differences between the United Kingdom and Spain over Gibraltar. Her Majesty's Government will always be ready to welcome the cooperation of the Gibraltar Government in that process, but will respect the wishes of the Government if they choose not to participate.

Her Majesty's Government continues to believe that the airport agreement with Spain offers a sensible and acceptable arrangement whereby Gibraltar can profit from direct services to

many more airports throughout Europe without any implications for sovereignty over any part of Gibraltar. It will remain for this House to decide whether to introduce the legislation necessary to bring the agreement into effect.

A solution will be sought within the coming months to the problem of Spanish pensions, that takes account of the interests of all parties involved.

Recent events have brought home to Gibraltar the realities of international terrorism when a criminal act of major dimension was averted by prompt action by the authorities. In a democratic society there can be no legitimate place for the terrorist. The Gibraltar Police Force and the Security Services will continue to be vigilant in the defence of Gibraltar against terrorism. In this difficult task they will need the continued understanding and support of all the citizens of Gibraltar.

The newly elected Government has a clear set of social priorities which will start to be implemented with immediate effect, education and training for school-leavers and a large increase in the provision of housing come at the head of this list. This will be coupled with an economic programme designed to bring about the more efficient use of Gibraltar's resources and consequently a very high rate of economic growth. The objective will be a viable economy within four years with balanced budgets without resort to borrowing for recurrent expenditure.

Mr Speaker, Hon Members, I declare this first session of the Sixth House of Assembly open. I wish you well in all your endeavours, and I pray for God's blessing and guidance on your deliberations for the good of Gibraltar and the well-being of its people.

HON CHIEF MINISTER:

Your Excellency, thank you for once again using this opportunity to reaffirm the commitment to the people of Gibraltar of Her Majesty's Government and the guarantee that the people of Gibraltar have always had, continue to have and will always have, I am sure, that Britain will not let us down and will not allow Gibraltar to pass under the sovereignty of another State against its wishes. I also wish to thank you for introducing the policy of the Government and I would like, therefore, now to, in a wide context, make some reference to how we see the next four years.

We consider this to be, indeed, a historic occasion. There is no doubt that as a Government we enjoy a magnitude of support which is unprecedented and that that places a great responsibility on us. We do not just see ourselves as the Gibraltar Government but as the Government of the people of Gibraltar - of all the people. We honestly feel that part

of the mood of our people at this moment in their history reflects a need to restore our dignity and self respect by being unequivocal and firm on the things that we believe are right for us and that we should pursue such a course of action in the knowledge that occasionally we are bound to get things wrong and we will not hide our mistakes from our people. At the same time as we are being firm and clearcut I believe it is correct to equally emphasise that and balance it by extending the hand of friendship to all and sundry, to our neighbours in La Linea with whom we want to foster very good relations socially and economically, to Her Majesty's Government and the British people for whom we have a great deal of affection, and locally to the business community and to working people through their institutions whom we see as an essential part of this historic exercise of working together to push Gibraltar forward. We believe as a Government and I believe myself very firmly that there is a special part in this process for the Trade Union Movement, and for one Union more than any other one, my own particular Union of which I am retaining membership as Chief Minister of Gibraltar, although I believe it does not have negotiating rights and, of course, other Members of my Government continue as members of the Union. That Union is the only industrial Union in Gibraltar. It represents the workers in the public and the private sectors. We look to those workers whom we know were involved in getting us elected, in urging people to vote for us, in getting this vote for change, to help us now to bring about the change. We believe that we have to move forward by bringing about a more efficient use of our land and our people, both of which are in very short supply. We believe that we have to accept change to bring this about, to put ourselves into the 21st century to bring about the prosperity that is needed to pay for the social goals that we all want. We are convinced that there is a huge untapped potential at all levels of our society waiting for us to unleash it, to unlock it, to make use of it, if we have the collective will and the common-sense to know how to mobilise it. At the same time let me be clear that it is not that we are unconscious of the magnitude of the problems. We do face a huge bill for investment in social infrastructure which, for a variety of reasons, has not been possible or not been done in the past and there is the neglect of years to catch up, in our hospitals, in our schools, in our roads, in our sewers, in our water supply, in the telephone system, in the need for modern offices and workshops, all are needed and all cannot be done and all cost millions and to this we must add what we have brought in, the commitment to build 500 houses which wasn't there. In facing this job the Government will lead by example. The job ahead will be tackled through dedication and hard work. It is a daunting but challenging and exciting task. We invite the whole of Gibraltar to join in partnership with the Government to make this dream of a Gibraltar that will be the envy of the world come true.

Thank you, Your Excellency.

HON A J CANEPA:

Your Excellency, may I apologise at the outset if I am not as brief as the Chief Minister has been but then I would only be following the example that he himself set as Leader of the Opposition on more than one occasion.

For the first time since I was elected to this House in 1972 I rise to address the House from the Opposition benches. In the short space of just over three months I have been Deputy Chief Minister, Chief Minister and now Leader of the Opposition. That probably constitutes some sort of record and, all in all, it is a varied, a humbling but an enriching experience. The father of the House is now my friend, the Hon Mr Maurice Featherstone, who was first elected in 1969. The Hon Chief Minister and myself are the next longest serving Members, and we still face each other from opposite but now different sides. Although, from a personal point of view, I congratulate him publicly on his success, I am determined that it will take much, much less time than sixteen years before we next change places.

Sir, I have already stated that having regard to the level of support obtained by the GSLP on the 24th March, it is our intention to give the new Government time to settle down, to give them an opportunity to put their policies to the test and not to oppose for the sake of opposing. It may surprise some if during the immediate future we abstain more often than has been the custom in the past. This will not be because we are just sitting on the fence but because responsible Opposition requires that a newly elected Government be given a fair chance to pursue their policies. Our approach in Opposition will be vigorous and at all times constructive. Let there be no doubt, however, about the fact that we regard ourselves as the only real and viable alternative to the party now in power. Nevertheless, in the same way as the Hon Mr Bossano in the first flush of victory extended the hand of friendship to the other two parties, we are also prepared to share with the IDP the powerful platform afforded to us by the Opposition benches, if they should ever request that we speak for them as well. We, too, offer the hand of friendship to the IDP and invite them to work with us, particularly on issues of vital importance, to the people of Gibraltar as a whole.

Sir, on this side of the House we welcome Your Excellency's assurances about the intentions of Her Majesty's Government regarding the future of Gibraltar and the pledges to the people of Gibraltar which are contained in the preamble to the Constitution. Your Excellency can rest assured that in matters relating to the future of Gibraltar and to its crucial good relations with Britain, a matter of grave fundamental importance, I shall remain available and willing to advise Your Excellency and the British Government on the view of

my party, and those whom we represent, with the same traditional sense of responsibility and concern that has characterised our approach to foreign affairs for so many years, as epitomised by the work of my predecessor, Sir Joshua Hassan.

Speaking from this side of the House nearly twelve years ago, the Hon Mr Bossano said that he was totally convinced that it was a historic day in Gibraltar's history because it was not just possibly the Official Opening of the Third House of Assembly, but the Official Opening of the last House of Assembly because the Opposition could not see the present Constitution, the present colonial status of Gibraltar, remaining unchanged for four more years in a Europe that was being radically transformed. Near the end of his address he went on to say: "I hope that we shall be able without any sacrifice of all the things that we dearly hold and feel to work together to achieve the decolonisation of Gibraltar a new Constitution for Gibraltar to obtain the same result which is a Gibraltar which is neither a British nor a Spanish colony".

Your Excellency, I hope and trust that Mr Bossano, for the sake of all of Gibraltar, and in particular for the sake of those who voted for him, will achieve a good deal more of that programme which he has outlined for us this morning, in very broad terms, than what he has done in respect of those platitudes and pious statements that we heard so long ago when he first addressed this House as Leader of the Opposition. Later on, on a similar occasion in 1984, he did confess that events had proved that his powers of clairvoyance were negligible. How ironic, Your Excellency, that Gibraltar's status not only remains unchanged, but that Mr Bossano's party has no plans - apparently not even secret ones - or proposals on this issue and that my party was the only party to have a policy on decolonisation during the recent electoral campaign. We propose, Sir, to conclude our research during the next few years, to go into the implications for our relationship with NATO and with the EEC in order to be in a position to raise with the British Government, when we are back in Government, the question of a freely associated status for Gibraltar, with the British Crown retaining sovereignty.

We would like to place on record on this occasion our views on some of the major issues affecting Gibraltar. The GSLP Government has already rejected the Brussels Agreement. We think that this attitude is mistaken. We very much hope that their course of action does not land Gibraltar in the sort of difficulties that we have consistently drawn attention to and which some of the British press has already highlighted. We have, in fact, already heard Mrs Lynda Chalker reiterate in the House of Commons that as far as the British Government is concerned, the Brussels Agreement goes on and Sir Geoffrey Howe has said as much to the Chief Minister and you yourself, Sir, this morning in your address have stressed the same commitment which the British Government

feels that she has to the Brussels Agreement. For our part I can give an assurance that we do not intend to exploit the situation, at any rate not until it becomes clear that problems arise as a result of Government policy on the matter. In the meantime, we pledge to do our utmost to ensure that Gibraltar's good relations with Britain are maintained, despite our fundamental differences on the Brussels Agreement.

We have also made our policy clear both before and during the election campaign on the issue of payment of pensions to former Spanish workers and, in particular, about the need to find a formula to solve this problem on a permanent basis. We do not want to elaborate on this point at this stage because having regard to the Chief Minister's meeting with the Secretary of State, we want to express our full support on the fundamental principle that Gibraltar cannot afford to pay and that it would be unfair to expect us to shoulder this burden at the expense of the improvement in the economy and the Government's financial position after so many years of economic siege. We have not seen the report of the Joint Study Group which was set up to consider this issue and we trust that the promised new climate of open Government will also extend to the Opposition and that we will therefore be given a copy at an early date. If not, we will make it public immediately after the next General Election. Notwithstanding the recommendations contained in that report, we would wish to reiterate our view that the people of Gibraltar should not be the victims, for the future, of a financial burden that was not of Gibraltar's making but arises, in the main, from the hostile actions of the Franco regime.

Your Excellency, we propose to raise at the first working meeting of the House the question of Gibraltar's exclusion from the European Air Transport Liberalisation Package and the legal opinion that we obtained recently in pursuance of the motion adopted in the previous House last December. We are less concerned about the practical details of the issue but rather about the vital principle underlying Gibraltar's right to be included in the package. We think that it is important to establish that Gibraltar is not just a member of the EEC with certain unpleasant obligations, such as those involving Spanish pensioners, but that we are also entitled to a share of potential benefits without having to agree to separate deals on the sidelines in order to obtain these benefits if we so desire. In this context I would briefly mention our delight at the news received last week that Gibraltar had won its case before the Petitions Committee of the European Parliament who have accepted that Gibraltarians should have the right to vote in elections to that Parliament. We shall continue to play a major part with the other political forces in Gibraltar to ensure that the progress made so far results in the practical benefits of Gibraltar representation in the European Parliament.

On Gibrepair, we have noted the remarks already made both by the Chief Minister and the Hon Mr Pilcher on the proposed restructuring. We also take note that although the Appledore management contract has been terminated, Appledore are to continue to have a role in the yard and have not been sacked completely but are being kept on for the purposes of marketing. We are as much in the dark as the rest of Gibraltar as to the terms on which Appledore will continue to be associated with the yard and in particular what it will cost the company. We look forward to having more detailed information on how the Government intends to handle the matter. Insofar as the proposals which were put to the AACR Government by the old Board on the 12th February are concerned, we would have found it very difficult to justify further expenditure in the order of £10m necessary for implementation of a full-scale restructure of the yard's operation. What I am saying is that we did not accept the proposals put to us by the Board, other than on the question of redundancies, which we decided should be on a voluntary basis.

Sir, during the recent campaign, the Hon Mr Bossano spoke on television about the need for minority views to be taken into account. It will be interesting to see how much heed the Government will actually take when it boils down to practicalities, of the views of conservationists, how much heed they will take of the views of non-industrial Trade Unions, other than ACTSS, and how much heed will be taken of the views of other political interests such as those represented by the Opposition. Time alone will tell as to who will participate in the new awakening, in the new Socialist Utopia, and who will find that their views and their aspirations will have in fact been ridden over roughshod by Mr Bossano and his not-so-magnificent seven.

In conclusion, Your Excellency, we pledge ourselves to carry out the essential role of Opposition conscientiously and constructively and with a high sense of responsibility. Whilst we will not be vindictive or indulge in unnecessary acrimony, we will not be inhibited or constrained to the detriment of those who have also placed their trust in us. I have set myself high standards of hard work, performance and achievement during my years in Government and I am committed to do the same in Opposition, working on a full-time basis, without leave of absence from any job awaiting my return should I lose my seat in the House. I promise to strive always to bring out the best in myself and in my colleagues. We will conduct ourselves in a manner that we feel meets both with the wishes and with the aspirations of those who elected us, but mindful always of the interests of the people of Gibraltar as a whole.

Thank you, Your Excellency.

ADJOURNMENT

The House then adjourned.