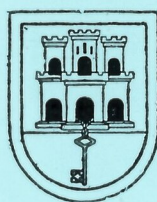


GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

31ST JULY, 1989

NO. 122 TO NO. 164

NO. 122 OF 1989

ORAL

THE HON G. MASCARENHAS

Will Government state what will be the overall cost of implementing the National Curriculum in Gibraltar?

ANSWER

THE HON THE MINISTER FOR EDUCATION CULTURE AND YOUTH AFFAIRS

Answered together with Question No. 123 of 1989.

NO. 123 OF 1989THE HON G MASCARENHAS

Will Government say what will be the implications of the implementation of the National Curriculum in Gibraltar particularly as it will affect the teaching profession?

ANSWERTHE HON THE MINISTER FOR EDUCATION CULTURE AND YOUTH AFFAIRS

Mr Speaker, the National Curriculum Working Party was established in December to study all aspects relating to the National Curriculum. It will be making its report shortly after the summer recess. Until this report is forthcoming it would not be prudent to talk of costs, or implications, without knowing the extent to which the Curriculum will be implemented locally.

SUPPLEMENTARY TO QUESTION NO. 122 and 123 of 1989

HON G MASCARENHAS:

Mr Speaker, can the Hon Minister make a commitment that the overall cost will not have any effect on other expenditure in the education budget?

HON J L MOSS:

Mr Speaker, perhaps the Hon Member opposite has not really studied the National Curriculum document as it has been brought out in the UK, but I can assure the Hon Member that more than anything what is happening is an administrative arrangement which is correcting the faults of schools in the UK which were not following a proper line and which should not have significant impact on costs, even in the UK. I am prepared to tell the Hon Member that it will not be affecting other areas of education in Gibraltar.

HON G MASCARENHAS:

Mr Speaker, is the GTA included in the Committee?

HON J L MOSS:

Mr Speaker, the GTA is a party to the consultations of the Committee. That is right.

HON A J CANEPA:

Mr Speaker, having regard to the failure of the Minister to give the information requested will he undertake to make a statement in this House on the matter once he has received the report of the Committee that has been set up? Obviously once the Government has studied the matter.

HON J L MOSS:

Mr Speaker, the Hon the Leader of the Opposition is being, as usual, somewhat facetious if he does not mind my saying so. I have not failed to provide the information. I have answered the question that was put to me by his colleague, the Hon Mr Mascarenhas, I have no intention of making a statement because I will be putting out the information which is discussed independently of making statements in the House.

HON A J CANEPA:

I am talking, Mr Speaker, of making a statement after he has received the report and after the Government has studied it and taken a decision. Will he undertake to inform the House about the decision that has been taken.

HON J L MOSS:

Mr Speaker, if it is considered necessary I shall do so. Although the Hon Member is making a mountain out of a very small molehill.

HON A J CANEPA:

Mr Speaker, the Hon Member is trying to get information and we will pursue the matter in due course if we have to.

THE HON G MASCARENHAS

What is Government's intention as to B/TEC certificate part-time courses for the forthcoming year at the Gibraltar College of Further Education?

ANSWER

THE HON THE MINISTER FOR EDUCATION, CULTURE AND YOUTH AFFAIRS

Mr Speaker, the following part-time B/TEC certificate courses will be available at the Gibraltar College for Further Education this forthcoming year:

- Technicians Electrical level 2
- Technicians Mechanical level 2
- Technicians Construction level 2
- Craft Electrical level 2
- Craft Mechanical level 2

SUPPLEMENTARY TO QUESTION NO. 124 OF 1989

HON G MASCARENHAS:

Mr Speaker, are all those courses part-time courses?

HON J L MOSS:

Yes, Mr Speaker.

THE HON G MASCARENHAS

Will Government state what their policy is in respect of the "Educational" posts in the Department of Education?

ANSWER

THE HON THE MINISTER FOR EDUCATION, CULTURE AND YOUTH AFFAIRS

Mr Speaker, as the honourable member should know, there are no posts defined as "Educational" in the department of Education; posts are either professional or administrative.

Supplementary to Question No. 125 of 1989

HON G MASCARENHAS:

Mr Speaker, is the Hon Member saying that he does not know to which Members I am referring to?

HON J L MOSS:

Mr Speaker, I am answering the question which the Hon Member has put to me.

HON G MASCARENHAS:

Mr Speaker, will the Hon Minister confirm that in the Department of Education's Administration Section there is an Education Officer, a Teachers' Warden, a General Education Adviser and a Psychologist?

HON J L MOSS:

Mr Speaker, with the exception of the fact that one of them is the Warden of the Teachers' Centre rather than a Teachers' Warden, yes.

HON G MASCARENHAS:

Mr Speaker, is the Government in any position to commit themselves, in this House, that all these posts will remain in place?

HON J L MOSS:

Mr Speaker, what this Government is prepared to commit itself to, is negotiating with the relevant Associations for the future of any posts in the Department of Education.

HON A J CANEPA:

For the future of any new posts, Mr Speaker? Or for the existing posts?

HON J L MOSS:

Existing posts, new posts, you name it.

HON A J CANEPA:

Mr Speaker, will the Hon Minister agree that the implication therefore is that the Government has no commitment to these posts remaining in the establishment?

HON J L MOSS:

No Mr Speaker, I cannot accept that implication. That is a deduction by the Hon Leader of the Opposition.

HON P C MONTEGRIFFO:

Mr Speaker, does the Hon Minister consider that the Education Department is in fact over-staffed with professional employees at present?

HON J L MOSS:

Mr Speaker, the Hon Mr Montegriffo should know better than to ask me that question after what I have just said that we are in negotiations and consultation with the different Associations as to the future of posts in the Department of Education, whether they exist or whether they be new posts and it would be onerous of me to prejudge any of these negotiations by suggesting something to the contrary now.

HON P C MONTEGRIFFO:

Mr Speaker, I am not suggesting that the Hon Member should tell us now how the negotiations are. But what is the Government's position? Is it that the Department is over-staffed? We know, for example, Mr Speaker that the Government thinks that the Civil Service is over-staffed in certain departments and is it the Hon Minister's position that there are too many professional posts in the Education Department. Is that the Government's stand?

HON J L MOSS:

Mr Speaker, the Hon Mr Montegriffo has obviously never been involved in negotiations. Because what he is asking me is exactly the same thing as he has asked me before but phrased differently and the effect of my giving now an indication of what the Government's position is, when we are still involved in negotiations would be exactly the same. It would prejudice these negotiations.

HON G MASCARENHAS:

Mr Speaker, will the Hon Minister say whether he is happy with the state of morale in his Department?

HON J L MOSS:

Mr Speaker, I am an optimist and I am normally quite happy.

THE HON DR R G VALARINO

Will Government introduce the payment of family allowance for the first child?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

No, Mr Speaker.

Supplementary to Question No. 126 of 1989

HON DR R G VALARINO:

Mr Speaker, has Government any idea at all as to what it would cost to introduce the payment of Family Allowance to the first child?

HON R MOR:

Mr Speaker, I do not think it is a matter for the Government to know how much it would cost or anything to that effect. The Government will not introduce the payment of Family Allowance, for the second child or for any subsequent children for the simple reason that the Family Allowance Ordinance was repealed on the 30 November, 1988 as the Hon Member should be aware of.

HON A J CANEPA:

Will the Government then consider, Mr Speaker, paying under the Family Support Benefit Scheme an allowance to the first child equivalent to the former Family Allowance payable before the repeal of the Ordinance?

HON R MOR:

Mr Speaker, if at any time the Government were to think that that was necessary the Government would consider it.

HON A J CANEPA:

By what would the Government judge, Mr Speaker, whether it was necessary?

HON R MOR:

Mr Speaker that would depend on whether the Government felt, at any particular time, that persons or families needed extra support.

HON A J CANEPA:

Mr Speaker, does the Hon Minister not consider that there are families now who require extra support? Families in particular that do not benefit from Tax Relief, such as it is, under the Income Tax Ordinance and who would welcome the addition of another £7 a week of real money as part of the family income?

HON R MOR:

Mr Speaker, if at any time the Government were to feel that these particular families were in need of extra amounts of money then the Government would consider it.

HON DR R G VALARINO:

Then, Mr Speaker, the Hon Minister is saying no to the payment of an allowance to the first child?

HON R MOR:

That is correct, Mr Speaker.

THE HON DR R G VALARINO

What procedures is the Department of Labour and Social Security implementing in order to ensure that payment of pensions to beneficiaries residing outside Gibraltar cease at the death of the pensioner?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, the procedures continue to be as follows: Payments to beneficiaries residing outside Gibraltar are effected once a life certificate is produced and consequently this ensures that payments cease at the death of any pensioner. In cases where pensioners reside in the Campo Area and collect through agents because of ill health, medical certificates from Spanish social security doctors have to be produced before any payments are made.

Supplementary to Question No. 127 of 1989

HON DR R G VALARINO:

Mr Speaker, will the Government try to investigate this matter further since it has come to my knowledge that the Government is at present paying pensions to Spaniards, who have died, and who were previously entitled to a pension? Mr Speaker it is not just one or two, the number runs in the hundreds.

HON R MOR:

Mr Speaker, the British Government may be paying this but not the Gibraltar Government since we are not paying for these pensions.

MR SPEAKER:

The Hon Member relies that he is responsible for the accuracy of that statement.

HON DR R G VALARINO:

Yes of course, Mr Speaker.

HON A J CANEPA:

Mr Speaker, on the question that documentation requires to be supplied as proof of the fact that the beneficiary is living, does the Department require that such documentary proof be supplied on a regular basis? For instance at the beginning of the Insurance year when Pension Books are renewed?

HON R MOR:

Mr Speaker, the system is better than what the Hon the Leader of the Opposition is suggesting. Proof that the person is alive must be produced before payment is made.

HON A J CANEPA:

Before payment is made initially, Mr Speaker, once an application is made by the prospective beneficiary or is the Minister saying that everytime a person comes to collect payment proof has to be produced that they are alive? If this is the case, Mr Speaker, I am surprised that the queues are not longer than at the frontier. Since 4,000 people come to collect their pensions every week.

HON R MOR:

Mr Speaker, I think that the Hon Member should know better than to say something like that. Mr Speaker, proof is only required when an agent collects on behalf of a beneficiary not for individuals who come personally to collect their pensions. These people do not need proof that they are alive.

HON DR R G VALARINO:

Mr Speaker, does the Hon Minister have an idea of the number of beneficiaries whose pensions are being collected by an agent?

HON R MOR:

No Mr Speaker, I would need notice before answering that question. But if the Hon Members are so concerned about this matter, I would be grateful if they brought specific cases to my notice and I will then follow them up.

HON A J CANEPA:

Mr Speaker, has the Department received any representations regarding specific cases where an agent is suspected of collecting on behalf of someone who is dead?

HON R MOR:

Mr Speaker, as far as I am aware there was one particular case brought to our notice and the claim was that the beneficiary had died and that the pension was still being paid. This was checked, Mr Speaker, and the allegation was untrue because the person had died and payment had stopped at that time.

THE HON DR R G VALARINO

Mr Speaker, is the Government now in a position to say whether any decision has been taken regarding the rights of divorced women to a social security pension based on their former husband's contributions?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, this point was raised by the Hon Member in Question No 85 of 1989 and at the time the issue was dependent on the future of the present social security system. Due to the remaining lifespan of the present scheme, it is now not considered practical, at this stage, to change the rules as this would entail a major administrative exercise given the practical problems in identifying and monitoring cases outside Gibraltar. The protection of divorced women will however be taken into account in any future arrangements.

Supplementary to Question No. 128 of 1989

HON DR R G VALARINO:

Mr Speaker, that then means no for the time being?

HON R MOR:

No Mr Speaker, that is not the answer. The answer is that given that the present scheme will come to an end in 3 years time, it is not practical at this stage to change the rules and introduce a scheme for divorced women.

HON DR R G VALARINO:

Mr Speaker, the Hon Minister in answer to a previous question had said "However no action will be taken in changing the Social Security Scheme until the Government is in a position to proceed on the restructuring of the Social Security Scheme which is contingent on the outcome of the negotiations with Her Majesty's Government". How does he equate one answer with the other?

HON CHIEF MINISTER:

Mr Speaker, at the time the Hon Member was told that I was having discussions with the British Government as to what was going to substitute the present scheme. The situation now is that we have progressed in assessing what has to be done by identifying the people covered by the present scheme and we are talking about, at present, microfilming a hundred thousand records which then need to be computerised. Once this has been done we need to devise a number of hypothetical sets of rules and take that through the computer system

to see what the effect would be on different groups. In that scenario we will include provision along the lines suggested by Hon Member when he first raised the question. We have taken his views into account and we are including them in the work being done for the new scheme. But if we try to do this in the present scheme by the time that we actually get it finished it would be too late to do anything with it, but we have not forgotten his views and are in fact taking them into account.

HON A J CANEPA:

Mr Speaker, having regard to the answer given by the Minister for Labour and Social Security, will he say whether he is satisfied that no hardship is going to be caused to any divorced women between now and 1993, when the Government in fact repeals the present scheme?

HON R MOR:

Mr Speaker, any hardship that any person with no source of income would obviously be dealt with under the Supplementary Benefits Scheme and be looked after.

THE HON DR R G VALARINO

Mr Speaker, will Government now give details of the amounts collected in Social Security contributions by persons employed in ships registered in Gibraltar for the year 1988 and what is the estimated figure for 1989?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, a total of £4422 was collected in 1988 and a further amount of £8442 of arrears is currently being pursued. The estimated figure for 1989 is £15,000.

Supplementary to Question No. 129 of 1989

HON A J CANEPA:

Mr Speaker, in view of that estimated figure of £15,000, will the Minister say how many contributions are in fact involved?

HON R MOR:

Mr Speaker, I cannot tell the Hon Member at this time exactly how many contributions are involved. We are trying to improve the system and pursue the matter of collecting from those concerned. However in answer to the question I have been asked, so far this is what we have been able to recover.

HON A J CANEPA:

Mr Speaker, but for 1989 they are estimating that the amount collected will be £15,000. Now having regard to the fact that the combined employer and employee contribution is of the order of £18 or £19 a week which is nearly £1000 p.a., are we talking of more than 15 or 20 contributions from whom the Government is succeeding in collecting contributions? And also having regard to the fact that there are over a 100 ships registered?

HON R MOR:

Mr Speaker, the previous administration changed the rules on the contributions and employers who are not registered or do not have a place of business in Gibraltar are not required to make contributions.

HON A J CANEPA:

Mr Speaker, is the Hon Minister happy with the changes that the previous administration made to the regulations?

HON R MOR:

No Mr Speaker, I am not at all satisfied with the changes the previous administration made. What I am saying is that under the present circumstances and as the law stands today this is what we have been able to recover.

HON A J CANEPA:

Does the Hon Minister have any plans to amend the law during 1989? Or is the fact that they have no plans the reason for that very low estimated figure?

HON R MOR:

Mr Speaker, even if it is a low figure it is much better than what the previous administration was doing. Because when I used to pursue this matter from the other side, Mr Speaker, all I got was that it was not possible to collect. What I am saying now is that we are collecting.

HON A J CANEPA:

Mr Speaker, now that the Hon Member has been on that side of the House sufficiently long what is he going to do about it? Collect £4,000 in one year and £15,000 to be collected in the next, collected from about 20 individuals.

HON CHIEF MINISTER:

Mr Speaker, the Hon Leader of the Opposition obviously does not realise that the Social Security system is in fact being restructured for everybody and that it would be illogical to do anything about seamen, when the system for all the people who are not seamen is being changed. So obviously the collection of these Social Security Contributions will be overtaken by what happens to the scheme between now and 1992. Or does the Hon Member think that we are going to spend all the time creating a new machinery in 1989 to scrap it in 1991 which is the kind of thing the AACR used to do.

THE HON M K FEATHERSTONE

Has the Gibraltar Health Authority caused a statement of its accounts for the financial year ending 31 March, 1989, to be prepared as required by law and have these accounts been submitted to the Auditor and when does Government hope to table these accounts in the House?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES AND SPORT

Mr Speaker,

By the strict letter of the law the statement of the accounts should have been finalised by the end of last month. I will remind the House that this is the first year of the operation of the Health Authority and in the light of experience 3 months may not be sufficient to allow all the work to be completed and therefore it may be necessary to amend the law to give more time, but nevertheless, I have given a written instruction to the General Manager and the Finance Officer of the Health Authority that the statement of Accounts should be submitted to the Principal Auditor by not later than the 31 August, 1989.

Supplementary to Question No. 130 of 1989

HON M K FEATHERSTONE:

Mr Speaker, so the Hon Minister accepts that at the moment they are breaking the law?

HON MISS M I MONTEGRIFFO:

Mr Speaker, what I am saying is that the Ordinance in question was brought to the House by the previous administration and in practise we have found that the time allowed is not sufficient and I think that it is unfair that the Gibraltar Health Authority should be given 3 months when all other Government Departments are given 9 months to prepare their accounts.

HON M K FEATHERSTONE:

Mr Speaker, when this was promulgated there was no objection to the 3 months by the then opposition, why is it that they are against it now?

HON MISS M I MONTEGRIFFO:

Mr Speaker, when the previous Government brought the Bill to the House it included the 3 months timescale and when we came into office and took over the running of the Authority there were so many problems and so many things required to be changed in the Ordinance that it was impossible to look into this particular matter. I have already spoken to the Attorney General and he has assured me that what we have done is acceptable to him and it could mean that we have to amend the law.

HON M K FEATHERSTONE:

Mr Speaker, are the finances of the Gibraltar Health Authority in such a bad state that they cannot prepare these figures within the 3 months statutory date?

HON MISS M I MONTEGRIFFO:

Mr Speaker, it is not a question of the finances being in any state, it is a question that when we took office things were in such an appalling state, in the Authority, that we did not have any information, statistical information and as a result things were difficult to resolve.

HON M K FEATHERSTONE:

Mr Speaker, they could not have been so appalling when it was possible to produce estimates every year?

HON MISS M I MONTEGRIFFO:

Within a 9 month timescale, Mr Speaker.

THE HON M K FEATHERSTONE

Will the Minister say whether there was a rat running round one of the wards in the Hospital recently and was a patient scalded in an attempt to kill the rat?

ANSWER

THE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES AND SPORT

Mr Speaker, yes.

Supplementary to Question 131 of 1989

HON M K FEATHERSTONE:

I am glad to see that this has happened, Mr Speaker, this is really horrendous news, to hear that there is a rat running loose in the hospital. Mr Speaker is this likely to be a regular occurrence? Or is it a one off?

HON MISS M I MONTEGRIFFO:

Mr Speaker, let me remind the Hon Member opposite that this is an isolated incident. I will also like to refresh his memory, in case he does not remember, and I have a list with me of all the incidents that occurred when he was Minister of Medical Services. I would also like to inform the Hon Member that by making this incident public he has upset the nursing profession, because the person involved has been a loyal member of the nursing staff for over 30 years, by casting aspersions in something she did in good faith. This person has written to me reminding me of what used to happen when the Hon Member was in office. The letter also states that they, the staff, is very encouraged by all the improvements that have been carried out in the Medical Service since we took office.

HON M K FEATHERSTONE:

Mr Speaker, I have not cast any aspersions on anybody and I can tell the Hon Minister that there were never any rats running around the hospital when I was in office and if there should be another occurrence of a rat running around will some other method be used to kill the rat rather than to pour scalding water around to the detriment of patients.

HON MISS M I MONTEGRIFFO:

Mr Speaker, the Hon Member has said that there were no rats running around loose when he was Minister.....

HON M K FEATHERSTONE:

Mr Speaker, not running around the wards.

HON MISS M I MONTEGRIFFO:

Mr Speaker, there were and I have the information with me and if the Hon Member wishes I will cite all the incidents.

It appears Mr Speaker that the Hon Member is more concerned about the welfare of people in hospital now that he is in opposition than when he was in office.

HON P C MONTEGRIFFO:

Mr Speaker, does the Minister's statement account to an admission of liability and therefore be making compensation to the patient involved?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I am prepared to answer anything concerning the rat but with regard to the legal position the matter is subjudice and I will therefore not make any comments.

HON P C MONTEGRIFFO:

Mr Speaker, I am just asking for confirmation because the Minister has said that a patient was scalded and that amounts to an admission of fault, does it not?

HON CHIEF MINISTER:

The Hon Member knows that we are being sued, as a Government, and what the Minister has confirmed are the facts that have been published and nothing else. I imagine that he is not acting for the person that is doing the suing, but as a lawyer, he ought to know that he should not be trying to get us here to settle a claim which is the subject of litigation between the Law Officers Chambers and the person making the complaint.

MR SPEAKER:

Under the rules of questioning the matter is subjudice. That is my ruling. With regard to the fate of the rat will the Minister say what happened to it.

HON MISS M I MONTEGRIFFO:

Mr Speaker, I definitely did not take up the offer of the Hon Member opposite to kill it with a hammer, I did not do that Mr Speaker.

HON A J CANEPA:

Mr Speaker, having regard to the Minister's description of cockroaches as horrendus, how would she describe the presence of a rat in the ward.

HON MISS M I MONTEGRIFFO:

Mr Speaker, as I have already said it was an isolated incident.

NO. 132 OF 1989

THE HON M K FEATHERSTONE

Has the Government received the analysis of the black dust emanating from GSL and, if so, what were the results?

ANSWER

THE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES AND SPORT

Yes Mr Speaker.

The results have been received and are inconclusive. Although the full picture is not going to be available for evaluation until all the samples for all the periods have been analysed in UK, the information available at present involves four different dates and ten different locations. The results show a lack of heavy metal with the exception of lead and only three of the 40 samples show lead values which suggest a need for implementing control measures. All 3 are from one single location.

Supplementary to Question No. 132 of 1989

HON M K FEATHERSTONE:

Mr Speaker, when were these result received?

HON MISS M I MONTEGRIFFO:

As far as I am aware the results were received a couple of weeks ago, Mr Speaker.

HON M K FEATHERSTONE:

Only two weeks ago, Mr Speaker?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I said a couple of weeks ago. I do not have the exact information with me. I was told by the Environmental Health Department that the results had been received a few weeks ago.

HON M K FEATHERSTONE:

I query the two weeks because I was under the impression that it was a longer period, Mr Speaker. I was also promised by the Hon Mr Pilcher that I would be given this information as soon as it was received. But if it was only two weeks I will allow the latitude.

THE HON LT-COL E M BRITTO

Is it Government policy to underwrite Gibraltar's participation in future Island Games and similar international sporting events of comparative importance?

ANSWERTHE HON THE MINISTER FOR MEDICAL AND HEALTH SERVICES AND SPORT

Mr Speaker, Gibraltar's participation in the 1989 Island Games recently held in the Faroes was underwritten by Government. This is the first time Government has underwritten a venture of this nature. It is precisely because my Government places a great emphasis on public relations for Gibraltar and considers that Sport is doing well in this context that we, since coming into office, have more than doubled the funds made available by the previous administration for financial assistance to sporting organisations. However, Government has a budget for every year and it would therefore be irresponsible for me to say at this stage whether Government is prepared to underwrite participation in future Island Games or similar sporting events of comparative importance. I can nevertheless reassure the Hon Member that whenever the Gibraltar flag has to fly anywhere in the world and we believe that Gibraltar should be represented, this Government will be very sympathetic as we are already proving to be.

Supplementary to Question No. 133 of 1989

HON LT-COL E M BRITTO:

Mr Speaker, if Government has no definite policy in this respect, at this moment in time, is the implication of the Minister's answer then that such policy will be decided in an annual basis? Taking into account any other sporting events taking place in any given years?

HON MISS M I MONTEGRIFFO:

That has been my answer, Mr Speaker, that it would be irresponsible of me, two years before the event takes place, to give an undertaking.

HON LT-COL E M BRITTO:

Mr Speaker, does the Hon Minister not realise that events of the magnitude of the Island Games need to be planned, budgetted for and financed with more time than what the Hon Minister is prepared to allow? Because if the Hon Minister is going to do it on an annual basis, particularly since budget time is a few months before the Island Games.

HON MISS M I MONTEGRIFFO:

Mr Speaker that will not happen, Mr Speaker, because ever since I became Minister all applications have been considered before the participants have left Gibraltar.

HON LT-COL E M BRITTO:

Is the Minister then prepared to state that she will give equal consideration to other events of comparative importance to Island Games or do we consider the Island Games differently?

HON MISS M I MONTEGRIFFO:

No Mr Speaker, as far as we are concerned when we came into office, as I have already said, we have doubled the grant given to Sporting Organisations. It therefore seems to me hypocritical of the Hon Member opposite to ask me to give a blank cheque to sporting associations. Let me also remind the Hon Member that when I gave a commitment to Small Island Games I was criticized by his administration, when they were in Government, to the extent that I was being irresponsible, that Mr Bossano with his socialistic ideals they doubted whether I would be able to keep my commitment and that I was burdening the Taxpayer. And I would like to remind the Hon Member that this is our standard now and we have done something for sport which had never been done before. Mr Speaker all requests will be considered very sympathetically.

HON LT-COL E M BRITTO:

Mr Speaker, I take exception to the word hypocritical and would ask the Minister to reconsider what she has said. I am trying to obtain information and clarify the position so that organisations like the Island Games can plan ahead. I think it is not conducive, Mr Speaker, to such good planning for Government to consider large events that require special planning in the same manner as those participating in smaller events. Major events, like the Island Games, require different treatment and should be informed whether they will receive the money or at least an idea of what they shall be getting. To lump them together with a group, of say, 2 persons participating in, say, Morocco is getting the thing out of balance.

HON MISS M I MONTEGRIFFO:

Mr Speaker, I can assure the Hon Member that another commitment that I gave and is already functioning is the Sports Advisory Body and what the Hon Member has just said is not happening. I have been in close consultation with all sporting associations and what he is suggesting is not going to happen.

NO. 134 OF 1989

THE HON K B ANTHONY

Is the Government considering any plans for the construction of a further Power Station and, if so, where will it be sited?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker,

The Government is currently considering entering into a contract with a United Kingdom based company which would entail the construction of a power station by the said company. Were this to come to fruition the Power Station would be sited within the GSL complex in existing buildings.

Once the Government has finalised the discussions with the Company I will be making a public statement on the matter.

Supplementary to Question No. 134 of 1989

HON K B ANTHONY:

Mr Speaker, is the Minister satisfied that this new power station will be sufficient with the Westside Power Station to cover our power need for the next 25 years?

HON J C PEREZ:

Mr Speaker, not for the next 25 years but certainly for the next 15 years which is looking further ahead than the AACR ever did.

HON K B ANTHONY:

I still feel, Mr Speaker, that in terms of looking ahead with a capital expenditure of this nature, one should be looking not at the short-term, which is what I consider 15 years to be, but in the long-term which is 25 years.

HON J C PEREZ:

Mr Speaker, I have not mentioned anything about expenditure, the Hon Member is coming to conclusions on the matter. Once I have finalised the negotiations with the company I shall be making a public statement and after that, if he so wishes, he can raise questions on that in this House. At the moment I am not in a position to disclose the details of these talks with that Company.

HON K B ANTHONY:

Mr Speaker, I am not talking about details but I do not think that anyone in this House believes the power station will be built for free. It will have to be paid for and it is a capital expenditure.

HON J C PEREZ:

The Hon Member will be surprised, Mr Speaker.

HON P C MONTEGRIFFO:

Mr Speaker, will the Hon Minister confirm that the proposed Power Station will be structured under a commercial joint venture of which UK participants will be members of? Is that the Government's thinking?

HON J C PEREZ:

No Sir.

HON M K FEATHERSTONE:

The Hon Minister has said that the AACR did not look ahead, Mr Speaker, was it not looking ahead well into the 1990's when the building of Waterport Power Station was started?

HON J C PEREZ:

Mr Speaker, at the time certainly not 25 years like the Hon Member has suggested and certainly not 15 either. Because if not I would not be in the position I am now, in this House, and having to take the decisions I have to take now. The power generating situation is very serious and the King's Bastion Power Station, as I announced at Budget time, needs to be closed down because it is in a dire state. Mr Speaker, the AACR left nothing behind for the future in terms of power generation and that is why this administration has had to take the decision to build a new power station. If we had left things as they were by the end of this year or early next year we would be in serious difficulties because King's Bastion Power Station is very old, is in dire conditions and has been for a long time.

HON M K FEATHERSTONE:

Mr Speaker, is the administration not in serious difficulties because their Union held up the implementation of the Third Engine for at least one year?

HON J C PEREZ:

Mr Speaker, the Hon Member always has excuses as to why they failed to deliver.

HON A J CANEPA:

Mr Speaker, is the Hon Minister aware that the decision to site Waterport Power Station where it is was taken in 1980 and that therefore we are talking of a 15 year span at least?

HON J C PEREZ:

Mr Speaker, the Hon Members might have thought of siting the Power Station there.....

HON A J CANEPA:

Mr Speaker, I am talking of a Government decision, taken in 1980, that a power station with, 3 'Engines' was going to go there with room for further expansion.

HON J C PEREZ:

Mr Speaker, the Power Station with 3 'Engines' is there and it is not sufficient, it was not looking at the future and the Hon Member might have had a lot of plans in his mind but putting those plans into effect or having the necessary funds to put those plans into effect is what we are talking about.

HON K B ANTHONY:

Mr Speaker, I have been listening to the discussion, because I was not in this House prior to eighteen months ago, is there any logical reason why the Waterport Power Station could not be expanded as was planned when it was commissioned? Or is there any significance in the New Station going in the GSL area?

HON J C PEREZ:

Mr Speaker the extension of Waterport Power Station would be prohibitive in terms of cost and in any case when I give a statement to the House with full details of the deal I am presently negotiating you will understand why the capital expenditure thought by Members opposite to be required will not necessarily materialise.

HON K B ANTHONY:

One final question, Mr Speaker on this topic. Is the Power Station at GSL going to supercede the Inter Services Power Station which is very close to it?

HON J C PEREZ:

No Mr Speaker. The MOD have no intention of passing on the responsibility to the Gibraltar Government or any other firm.

HON DR R G VALARINO:

Mr Speaker, will the Hon Minister confirm if two local businessmen are involved in the deal with the British Company?

HON J C PEREZ:

Mr Speaker, I know of one. If he knows of another he might care to fill me in on it.

THE HON K B ANTHONY

Will Government explain why switchboard attendants, a semi-skilled grade, were upgraded to TG I's, thus putting them on a higher pay scale than some highly skilled workers in the Power Station, who had served a full apprenticeship?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, the post of switchboard attendant is not, as the Hon Member suggests, a semi-skilled grade. This post was graded as craft rate and attracted a craft allowance prior to the latest negotiations.

The upgrading took place as a result of an agreement with the union which took into account a claim for upgrading put to the previous Government as long ago as 1976 and which was never rejected, but instead kept in abeyance. The deal also gives the men in post greater supervising responsibilities and includes agreement on the phasing out of the King's Bastion Power Station.

Supplementary to Question No. 135 of 1989

HON K B ANTHONY:

I would disagree with the Hon Minister, Mr Speaker, about semi-skilled and skilled. I would call a skilled worker one that has served an apprenticeship and switchboard attendants do not serve an apprenticeship. It may well be a craft but not a skilled craft.

HON J C PEREZ:

I suggest that the Hon Member does his homework, Mr Speaker, because if you have craft trades which were put in when the Hon Members opposite were in office, and if they employed switchboard attendants on craft grades and a certain grade of craft allowance then that would presume to me that they are more skilled than the normal ones that undertook the craft apprenticeship. Because they actually gave them the second grade craft allowance.

HON K B ANTHONY:

Mr Speaker, is the Minister not aware of the resentment felt by some of the workers who have served a full apprenticeship at the reduction of the differentials between their pay scales?

HON J C PEREZ:

Mr Speaker, I am not aware of very deep resentment. I am aware of different people in the Generating Station wanting different things and there are on-going negotiations with different groups of people for different reasons and for different claims with different arguments. But I am not aware of resentment that the Switchboard Attendants have been made TG I's. No.

HON K B ANTHONY:

Mr Speaker, I can assure the Hon Minister that there are cases of this. I am aware of this personally.

NO. 136 OF 1989

THE HON DR R G VALARINO

Will Government explain how it is that the holders of posts that have been non-industrialised are not paying contributions to the Widows and Orphans Pension Scheme?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, at the request of the Staff Associations, Government has agreed that the Widows and Orphans Pension Scheme should become optional for those already in the scheme. In anticipation of this, and whilst the necessary changes take place, compulsory deductions for WOPS are not being made to those persons becoming non-industrials.

Supplementary to Question No. 136 of 1989

HON DR R G VALARINO:

Mr Speaker, will the Government confirm that they are in breach of the law as stated in Section 3 (1) of the Widows and Orphans Pension Ordinance?

HON J C PEREZ:

No Sir. Because having discussed the matter with the Attorney General we were informed that if it is the intention of Government to change the law, so that it is no longer an obligation, in anticipation of this and whilst the law is changed the deduction can be stopped there and then. For example, if we arrived at a position where we found that the law could not be changed then those deductions would be recovered retrospectively and since there is scope for those deductions to be made in any financial year there is no breach of the legislation as such other than if the situation were to last over a year. It is however not expected to take very long.

HON A J CANEPA:

Mr Speaker, is it the Regulations that have to be amended or is it the Ordinance itself?

HON J C PEREZ:

I believe, Mr Speaker, that it is the Ordinance itself but the matter is with the Law Officer's Department at present.

HON A J CANEPA:

And as from when is it, Mr Speaker, that these contribution have not been paid?

HON J C PEREZ:

Very recently, Mr Speaker. The first cases were about a month to six weeks ago, no more than that. The Staff Associations asked that Widows and Orphans Pension Scheme should become optional for those in post and should be scrapped completely for new entrants into the non-industrial grades and I presume that in the same way as they asked for it to be compulsory, many years ago, they believe that now that money can be best invested in other ways nowadays and that Widows and Orphans Pension Scheme should not be compulsory. The Government has agreed to this, Mr Speaker

HON DR R G VALARINO:

Mr Speaker, when does the Government then propose to bring this amendment to the House?

HON J C PEREZ:

As soon as it is ready, Mr Speaker.

HON DR R G VALARINO:

Mr Speaker, the Government is therefore breaking the law for a minimum of at least six months.

HON CHIEF MINISTER:

Mr Speaker, the position has already been explained to the Hon Member. The Law does not say you have to pay Widows and Orphans Pension Scheme every day or every week. It says you have to pay. Provided we enact the necessary legislation amending this within the financial year we are advised that this is in order. But in any case what is it that the Hon Member wants to do? The employees do not want to pay, the employer is quite happy that they do not pay, if that is what they want. What does the Hon Member want us to do? Force people to pay? Because he wants it done? Because, Mr Speaker the employees do not want to pay.

HON DR R G VALARINO:

Regularise the position, Mr Speaker.

NO. 137 OF 1989

THE HON M K FEATHERSTONE

Have there been any cuts in expenditure recently resulting in the disinfecting of sewers and drains being carried out on a less frequent basis than in the past?

ANSWER

THE HON THE MINISTER OF MEDICAL AND HEALTH SERVICES AND SPORT

No Sir.

Supplementary to Question No. 137 of 1989

HON M K FEATHERSTONE:

Can the Hon Minister explain the considerable increase in the sewer-living cockroaches seen in town.

HON MISS M I MONTEGRIFFO:

Mr Speaker, I think I ought to remind the Hon Member, and that is why I have said no, that he has made a mistake in the wording of the question when he said "disinfecting" I think the Hon Member meant "disinvestment" not "disinfection". Mr Speaker, you do not disinfect sewers you use a programme of disinvestment. Will the Hon Member confirm that this is what he means?

HON M K FEATHERSTONE:

Mr Speaker, has there then been a decrease in the disinvestment programme?

HON MISS M I MONTEGRIFFO:

I can now answer the Hon Member, Mr Speaker. The disinvestment of sewers and drains for rats and cockroaches is regularly carried out by my department and as a matter of fact disinvestment for cockroaches has been intensified since last summer.

HON M K FEATHERSTONE:

The cockroaches, Mr Speaker, then seem to enjoy the disinfectant used.

THE HON K B ANTHONY

Will the Minister for Government Services make a statement on the condition of our beaches, and progress on improvements, bearing in mind his many statements about the improvements his Department intended to instigate this season?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

I have made no statement whatsoever about the condition of the beaches or any improvement which the Public Works Department intended to instigate.

I find it odd that the Hon Member should continue to direct questions of this nature to me personally when it has been made public on innumerable occasions that the running of the beaches is now the responsibility of the Tourist Office and therefore anything pertaining to beaches should be directed to my colleague the Hon Mr Pilcher.

In fact, in answer to question 104 of 1989 on the 11th May to be exact, my colleague once again reminded him of the change of responsibilities.

Supplementary To Question No. 138 of 1989

HON A J CANEPA:

Mr Speaker, the question of the replacing of the top soil in the beaches is that a responsibility to be undertaken by the Gibraltar Tourist Agency or the PWD?

HON J C PEREZ:

Mr Speaker, whatever happens in the beaches is the responsibility of the Gibraltar Tourist Agency or the Tourist Department. If the PWD is required to do anything it is because we have been asked to do so by the Tourist Office to do it for them. They however are responsible for the Management of the beaches.

HON P C MONTEGRIFFO:

Will someone, whoever he may be, Mr Speaker, inform this side as to what is happening to the supposed dredging of the metre of sand and about which publicity was given to a month or so ago? Let us have open Government and replies not technical answers.

HON J E PILCHER:

Mr Speaker, if the Hon Members ask specific questions they will get specific answers. I did not realise, first of all because it was addressed to the Minister for Government Services, secondly it talks about improvements and we did not know what the improvements were? It also asks about a statement. What statement?

HON A J CANEPA:

Another improvement, Mr Speaker. There was a statement reported in the press about setting up "Lookout Towers". We would regard that as an improvement.

HON J E PILCHER:

Mr Speaker to answer the, I think, three questions. The dredger which was contracted by the Reclamation Company to try and change, or take off the top metre of sand, and recirculate the top sand was stopped because the dredger was unable to do the work. A contract had been drawn up, which had a clause that the contract was subject to a 28 day satisfaction period, and since they were unable to do the work the contract was terminated. The position was difficult in any case to do it during the summer and the operation found it difficult to get underway. With regard to the Lookout Towers, Mr Speaker, it is the intention of the Tourism Agency to get these towers positioned at Eastern Beach. This is the only beach where lifeguards do not have the accessibility of vision that there is at other beaches such as Catalan Bay which has a proper site above sea-level. Sandy Bay, Camp Bay and Little Bay also have vantage points. Eastern Beach is the only one, particularly with the tents which have been allowed, on payment, to be placed at the back of the beach, that has a problem with vision. Plans are already being prepared or have been prepared for presentation to Development Planning Commission approval for these towers.

HON A J CANEPA:

Mr Speaker, having regard to the fact that the Hon the Minister for Tourism is the only member opposite who is well tanned, would he say whether he has taken the trouble to visit our beaches this summer?

HON J E PILCHER:

Yes Mr Speaker. Not only do I visit the beaches regularly as part of my leisure but I also visit them in an official capacity.

HON P C MONTEGRIFFO:

Mr Speaker, does the Hon Minister not accept that he has mislead the public in having issued a statement saying that dredging work was going to be undertaken and then not issuing another statement confirming that the work has had to be cancelled and given an explanation?

HON J C PEREZ:

Mr Speaker, I think it is a bit cheeky of the Hon Member to raise this subject when at the time of announcement of the dredging works they came out saying that it should not be done this summer. What is the Hon Member going on about now, Mr Speaker?

HON P C MONTEGRIFFO:

I am enquiring about public accountability and the people's right to know. Why did the Hon Minister feel it necessary to issue a Press release saying that the work was going to be done and then when the work is not proceeded with, which is something we are also interested in, he does not say anything. Has he agreed with the opposition, is it the Government's view that the opposition was right all along and that they took a wrong decision?

HON J E PILCHER:

First of all, Mr Speaker if the Hon Member cares to look at the Press Release that was issued at the time he will notice that the main reason was to inform people of the inconvenience that such work would cause by having sections of the beach closed to the public. If he cares to look at the statement he will see that it was very very clear that the project was being undertaken on a trial basis and that the first few days would determine whether the dredging operation could or could not continue. Obviously if the dredging works did not continue it would be assumed by everyone, except the Hon Member opposite, that it was not possible to do it this summer.

HON P C MONTEGRIFFO:

My impression was, Mr Speaker, that the Government was trying to win favour by saying that it was going to clean the beaches, then nothing happens and there is no explanation. I call that, Sir, misleading by omission.

HON J E PILCHER:

Mr Speaker, the Hon Member opposite can call it whatever he likes. We tried and it was not possible this summer nevertheless the beaches were cleaned and continue to be cleaned.

HON A J CANEPA:

The beaches are very dirty. Dirtier than when the AACR was in Government.

MR SPEAKER:

This has gone on long enough. If the opposition wish to continue to discuss this matter they should table a Motion. Next question.

THE HON K B ANTHONY

Will Government state when the retaining wall around the tip at the southern end of Eastern Beach is going to be constructed?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker since May this year the Public Works Department have been involved in constructing a perimeter wall on the land already reclaimed from the sea. This has been done with stone all along the edge which runs parallel to Eastern Beach and is being extended along the sea front by introducing containers full of rubble into the sea and then covering the periphery with stone.

The works have suffered delays for various reasons, the main one being that when Easterly winds are prevailing works need to be stopped for obvious reasons. Works are expected to be completed shortly.

Supplementary to Question No. 139 of 1989

HON K B ANTHONY:

Mr Speaker, is the Hon Minister aware that as late as the end of June they were still tipping rubbish at that tip.

HON J C PEREZ:

No Mr Speaker, not rubbish what is being tipped is rubble.

THE HON LT-COL E M BRITTO

Will Government explain its failure to meet its own deadlines for completion of the Queensway Emergency Housing Units and give an estimate of the total cost of the project?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, the Hon Member conveniently jumps to the conclusion in his question that the Government is at fault in not keeping to the deadline for completion of the Queensway Emergency Housing Units. I can categorically state that this is not the case.

The project was estimated to have been completed by the end of April this year. This target has not been met for a varied number of reasons which are as follows:

- 1) Delays due to inclement weather which had not been taken into account in the estimated completion date.
- 2) No previous experience by the workforce in handling a project of this nature or magnitude.
- 3) Major delays in the arrival of materials by the suppliers. There have also been errors in the quantities of goods supplied.
- 4) The suppliers had never before undertaken a project of this nature overseas and this resulted in the lack of proper supervision by them.
- 5) Alterations to the usual design of the units to meet local requirements have led to unforeseen changes to materials and details required.

Since most of the delays are not of the Government's making, the cost of the project is expected to remain within the estimated £1.3m announced in this House by my colleague Pepe Baldachino in answer to question No 86 of 1989.

I would like to take this opportunity of expressing my personal appreciation to all those involved in the project for their committment, dedication and hard work.

The new estimated completion date is dependent on the quick delivery of certain materials which are still pending.

SUPPLEMENTARY TO QUESTION NO. 140789

HON LT-COL E M BRITTO:

Mr Speaker, will the Minister accept that what he has just told us is a summary of incompetence?

HON J C PEREZ:

I do not accept that, Mr Speaker, what I think is incompetence, and I think is irresponsibility, is for the Hon Member to come out publicly and say that what the Government is saying is not true because building a "pre-fab" is like building a "lego". Which is what the Hon Member has said publicly. That is irresponsible, Mr Speaker, and that is inefficiency, not what has been said previously by the Government.

HON LT-COL E M BRITTO:

Mr Speaker, will the Government accept that facetiousness and sarcasm will get them nowhere.

Coming back to the original answer, Mr Speaker, will the Minister accept that the statement that the weather was at fault was denied by his colleague, the Minister for Housing, when it was stated in the press way back in April, 1988?

HON J C PEREZ:

No Mr Speaker. My colleague said that that was not the main reason, and it was not the main reason, it was one of the reasons listed and I have said in answer to the Hon Member's question that the main reason has been the availability of supplies and which the Hon Member has said in public was impossible. I repeat, Mr Speaker, that this is the case.

HON LT-COL E M BRITTO:

Mr Speaker, will the Hon Minister accept that I did not say that it was impossible, what I said was that if that was the reason that is was one of incompetence.

HON J C PEREZ:

Mr Speaker, that is not what the press said that the Hon Member has said.

HON LT-COL E M BRITTO:

Mr Speaker, as the Hon Minister is so proud of telling us, we are not in the business of denying what the Press says.

HON J C PEREZ:

When that is convenient, Mr Speaker.

HON LT-COL E M BRITTO:

Mr Speaker, that is what the Government does all the time.

HON A J CANEPA:

Mr Speaker, is the Hon Minister saying that if it is widely known that in Gibraltar the average rainfall is 35 inches during the year, account was not taken of that? And he is also saying that, in fact, last winter it rained more than 35 inches thereby delaying the construction?

HON J C PEREZ:

Mr Speaker, the Hon Member has not heard what I have said. I have just told his colleague that the main reason was not the weather, that it was one of the reasons and that that is why my colleague, Mr Baldachino, in April said that it was not the main reason. I stated that the main reason was the question of supply but I am also confirming that in the estimated date of completion, which is an estimate, because there have been many estimated dates of completion when the Hon Member was in office, for example, the Boys Comprehensive School at Bayside where the estimated completion date lapsed before the project had even been started.

Mr Speaker this is a project, by the PWD, which has not gone out to contract, done by the PWD, and where we are keeping very much within targets despite the problems we have had with the supplier. We were supposed to be finishing in April and we will probably be finishing by the end of August. I accept that there has been a delay, but not of our making. If it were of our making I would come to this House and say "yes it is of our making and this are the problems we are facing" because we are all human. Mr Speaker everybody involved in the building of those houses is human. But I am not prepared to blame the workers or management when it is not their fault.

HON A J CANEPA:

Mr Speaker, is the Hon Minister dodging taking political responsibility for this when they do so so glibly all the time on that side.

HON J C PEREZ:

Of course I am taking political responsibility, Mr Speaker.

HON A J CANEPA:

And that is why he is being questioned Mr Speaker.

HON J C PEREZ:

And I am answering, Mr Speaker. But what the Hon Member wants me to say is that it is the Government's failing, but it is not failing and I am not going to admit that Mr Speaker, just because the Hon Member's opposite want to make political capital of a very serious thing. Because emergency housing is a badly needed thing and every effort is being made to have it available quickly. But the difficulties are there for everyone to see and out of the control of the Government.

HON A J CANEPA:

We were very well taught by the Hon Minister's opposite in the four years that they were in opposition, Mr Speaker.

HON J C PEREZ:

And they always criticized us for it, Mr Speaker, and if they criticized us for it they should not be doing it now.

MR SPEAKER:

I think the questioning has gone on long enough and the time has come to recess until 3.30 pm. this afternoon.

HON A J CANEPA:

We still have further supplementaries:

MR SPEAKER:

But I think we have had enough discussion on that question and I rule now that we recess until 3.30 pm. this afternoon.

MR SPEAKER:

We are still on Question 140. And in deference to the Hon and gallant Col Britto who could not get a word in edgewise I shall allow further supplementaries on this question.

HON LT-COL E M BRITTO:

Thank you, Mr Speaker, for your understanding and I hope you will be a little bit further understanding in allowing me to recap.

MR SPEAKER:

Hon Members should remember the Rules of questioning. Supplementaries are made to elucidate a matter of fact given in the oral answer. So it must be on a matter of fact that has been given in the oral answer and must not be made a pretext for a debate.

HON LT-COL E M BRITTO:

Right, Mr Speaker. Will the Minister accept that the deadline that he gave us this morning of April was misleading to say the least and that in fact it should have been the end of February beginning of March, more realistically?

HON J C PEREZ:

No Mr Speaker. Initially the deadline according to the Company supplying the materials was as the Hon Member suggests. But later on, after negotiations with the Company, the number of days for which supervision by the Company was needed was altered and before the project started, or shortly after the project started, the estimated date was in fact the end of April. This was as a result of the extension that had been agreed with the Company as a result of negotiations between the Court and the Company on the number of days that needed to be covered in the overall project. So initially

the Hon Member could be right but even before the project started we were already discussing that the programme that the suppliers had submitted was not very realistic. And since they had to cover a supervisor for the duration of the contract, they had to agree to the programme and the subsequent extension of a new one until the end of April.

HON LT-COL E M BRITTO:

Fine, Mr Speaker. I hope that the Hon Minister will agree that I am right because on the 5 of October his colleague the Minister for Housing was quoted by the Gibraltar Chronicle as saying that the work would be finished in 72 days and that according to my reckoning is the end of April. It was then extended to the end of June.

HON J C PEREZ:

No Mr Speaker. The April dead-line was further extended as a result of the issues that I explained this morning in answer to Hon Member's question. I have stressed that the major problem in getting the project completed has been the delay in the supply of components by the firm who has the contract. If materials have not arrived then the work programme has had to be altered drastically. Men that have been on a JPC on that particular project have had to be taken away from this JPC and put to do something else because the materials had not arrived. The extensions that have occurred after that date ~~were~~ a combination of factors but the major problem has been the non-availability of materials. There have been situations where the materials that have been received have not been able to be used because other materials that had to be fitted first had not arrived. That, Mr Speaker, has been the fundamental problem for the delays.

HON LT-COL E M BRITTO:

Will the Minister state why there has been delays in the supply of materials?

HON J C PEREZ:

Because the supplier has not delivered them on time, Mr Speaker

HON LT-COL E M BRITTO:

Mr Speaker, is it not a fact that the real problem is that the whole project is "guinea pig project"? That this is the first time that this firm had built "Pre-fabs" of 3 stories?

HON J C PEREZ:

No Mr Speaker, this is not the case, it is the first time that they have built a 3 "storied Pre-fab" overseas with the alteration that we have insisted on. And we have insisted on those alterations, as the Hon Member well knows, because of fire protection and things like that. We have insisted on standards which are not applicable in UK. But we feel that we have to insist on those standards and that is what has made the project different⁴¹ to what it would have been

in the UK. It is true that it is the first time that the suppliers have erected a 3 "storied Pre-fab " overseas. But the main problem has been our insistence in the alterations required.

LT-COL E M BRITTO:

So, Mr Speaker, all these requirements and changes were insisted upon after the project was started? Why was it not thought about before?

HON J C PEREZ:

No Mr Speaker. I am not replying to his original question, I am now replying to the assumption that the Hon Member has drawn that this is a Guinea-pig affair. If the Hon Member wishes I will answer all of the questions all of the time, but if I am specifically answering his supplementaries then the Hon Member should not draw the conclusion that I have now forgotten what I have told him in answer to a previous question.

HON K B ANTHONY:

Mr Speaker, If there has been a delay in the supply of materials by the manufacturers, is there not a penalty clause in the contract that the Government would invoke?

HON J C PEREZ:

Mr Speaker, that is something we need to pursue once the contract is completed. But as I have said, Mr Speaker, we are still within the targets announced by my colleague, the Minister for Housing, as far as expenditure is concerned. That in itself proves that we have not sustained the cost of the delays to a very great degree yet. If the delay had led to more man-hours to the project and everything else we would have exceeded the estimated costs, but we have not.

HON K B ANTHONY:

But presumably there is a penalty clause within this contract, Mr Speaker?

HON J C PEREZ:

This is something that the Department will wish to pursue once the contract is completed. At the moment I would not like to say anything further on the matter because there could be litigation at a later stage, Mr Speaker.

HON K B ANTHONY:

I ask this, Mr Speaker, because normally penalty clauses are not resolved once the project has been completed. The clause is there as an option that can be applied or not applied according to the Government's choice.

HON J C PEREZ:

Mr Speaker, I think the Hon Member is referring to the Retention Clause. There is also a Retention Clause in the Contract. Mr Speaker this is, something about which I would not like to say very much at this stage.

THE HON P C MONTEGRIFFO

Will Government undertake that prior to any decisions being taken affecting the present structure and operation of GBC that there will be full consultation with the staff and an opportunity to debate the matter in this House?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, as the Hon Member well knows for the first time in the history of GBC, the staff side are being fully consulted on the structure and operation of the organisation as it affects them. The House will have an opportunity to debate the matter should any legislative changes be contemplated.

Supplementary to Question No. 141 of 1989

HON P C MONTEGRIFFO:

Mr Speaker, will the Hon Minister indicate how many meetings he has held, with the staff side, since he took office?

HON J C PEREZ:

Mr Speaker, I have held two meetings with the members of the committee at GBC and I have had regular meetings with the Union representatives on the matter.

HON P C MONTEGRIFFO:

Mr Speaker, does the Hon Minister consider two meetings with the staff side is sufficient bearing in mind the fundamental changes which this Government intends to make to GBC on broadcasting.

HON J C PEREZ:

Could the Hon Member inform me of the fundamental changes that I have suggested that we wish to make to GBC. Because, Mr Speaker, the Hon Member appears to know something which I have as yet not concluded.

HON P C MONTEGRIFFO:

Unless the Hon Minister is now saying that what he answered to my original question is now not going to happen. The Hon Minister said "that when there would be legislative changes this House would debate them".

HON J C PEREZ:

Mr Speaker, I said "should there be any legislative changes".

MR SPEAKER:

Could the Hon Member put it in the form of a question because if not we shall have statements being made by the opposition. It should be in the form of a question.

HON P C MONTEGRIFFO:

May I put it this way, Mr Speaker. Is the Government committed to preserving GBC as an entirely local corporation and will he give an undertaking that the matter will be debated in this House before any steps are taken to change this?

HON J C PEREZ:

Mr Speaker, the matter of GBC is being looked at, at the moment, and once the Government has taken a final decision on the matter the major consultative process will begin. I am totally satisfied that, at present, with the thinking there is at GBC, the staff side, the management and the Board have all been kept informed as it arises and once further matters develop, consultation will continue. However, I am not going to commit myself to anything until I have had sufficient time to have all the information available to me and the Government take a decision on the matter.

HON P C MONTEGRIFFO:

Mr Speaker, does the Minister not accept that there is considerable anxiety to GBC, at staff and middle management level, as a result of their complete lack of knowledge of the review which the Minister himself has indicated is taking place at GBC.

HON J C PEREZ:

Mr Speaker, I not not accept that there is great anxiety, other than the one the Hon Member is trying to create. Because I have already talked to the people concerned on the matter.

HON P C MONTEGRIFFO:

Finally, Mr Speaker is it Government's view despite that GBC is a public service orientated corporation, that the people of Gibraltar and this House should not have a right to debate the matter well in advance of any legislative measures but when the Government has an idea about the type of strategy and the type of future that it wants for the corporation?

HON J C PEREZ:

No Sir, my commitment is to have a consultative process with the staff, the management and the Board not with the Hon Member. The Hon Member can have a say if there is a need to change legislation and that is the fundamental change of GBC which Hon Members will have a say. But not on anything else.

HON P C MONTEGRIFFO:

Mr Speaker, the Hon Member left out the people who are really concerned, the public. What about the people are they not entitled to have a say?

HON J C PEREZ:

Does the Hon Member suggest that we have a referendum, Mr Speaker, or does he feel that he speaks for the people all the time?

HON P C MONTEGRIFFO:

Mr Speaker, the opposition speaks for part of the people. The Government speaks for some of the people and we speak for the others and if there is going to be consultation with the Unions and the staff at the very minimum I would expect consultation with us. Yes Mr Speaker. I imagine that the Government would have felt exactly the same 18 months ago when they were in opposition.

THE HON K B ANTHONY

Will Government state when they intend to introduce lifetime driving licences, as are issued in the United Kingdom, and discontinue our present system of licences that must be renewed at intervals?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, when we came into office in March 1988 the Government was informed that although the matter had been agreed in 1985 by the AACR and empowering legislation passed in this House, the required amendments and regulations were not ready because they had proved to be substantial and complicated. The fact that the Law Draftsman was based in the UK was said to have added to the difficulties.

Since then the matter has continued to be pursued and the regulations have been finalised and are pending approval by Council of Ministers. I do not foresee any major difficulty in getting these approved.

Let me make it clear to the Hon Member that the UK does not issue "life-time" driving licences as he suggests in his question. What are issued are actually licences valid in the case of Private Motor Vehicles, until the holder's 70th birthday. The intention of the Government is to follow this practice.

Supplementary to Question No. 142 of 1989

HON K B ANTHONY:

Mr Speaker, "life-time" is three score years and ten in the biblical sense.

THE HON LT-COL E M BRITTO

Will Government say why it is considered appropriate to charge for overnight parking by private cars at the Waterport Coach Park?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, as the Hon Members opposite should know, the Waterport Coach Park is run during the daytime for parking tourist coaches. The area is not a public parking area.

The company which runs the coach park for the Tourist Agency decided to offer night parking in the area, including security control, for a fee of £5 a month. Those using the facility are said to be satisfied with the service.

Supplementary to Question No. 143 of 1989

HON LT-COL E M BRITTO:

Mr Speaker, who are the owners of the Land?

HON J C PEREZ:

The land is owned by the Crown, Mr Speaker.

HON LT-COL E M BRITTO:

Bearing that in mind and coming back to my original question, Mr Speaker does the Hon Minister think that it is really moral in an area of Gibraltar where parking at night is such a serious problem, as Varyl Begg Estate, that they should charge a miserly fee of £5 a month instead of opening the area and allowing free parking, as is done everywhere else in the world?

HON J C PEREZ:

No Mr Speaker, because to do that would create a grave problem of clearing cars in the morning. If people are charged a fee in an area that has to be cleared by a particular time and on top of that they get security cover during the night for their vehicles and the fee is around 20p a night I think is good value. Before what used to happen was that there was a huge pile of rubbish left over by the previous administration. When the rubbish was cleared people used to park free of charge until the coach park was moved there. Apart from the vehicles paying for the use of the coach park there are also Public Service Vehicles which are also parked there at night thereby removing them from the road. They are also charged a fee,

I think, Mr Speaker, that it is a very good policy to have an area where lorries, coaches, buses etc. can be parked at night and thereby stop them parking at Waterport or Devil's Tower Road. I might add that this idea needs to be expanded and the people using the facilities are satisfied with the service they are getting from the Security Company.

HON LT-COL E M BRITTO:

Finally Mr Speaker, will the Hon Minister accept that I accept the validity of all his arguments except for the need to charge for parking of private cars. There is either a need to get Public Service vehicles off the road or there is a moral need to allow people to park their private cars free of charge. The cars can still be removed in the morning?

HON J C PEREZ:

No Mr Speaker, not if you have a free-for-all. Because the problem is magnified. Mr Speaker no one gives anything for nothing. If you have an area where your car is protected at night against vandalism, etc and you are getting a service that costs money and people have to pay for that service. The Government cannot provide a service for free.

HON LT-COL E M BRITTO:

Mr Speaker, where does it say in the contract that people are provided a service and the cars are protected?

HON J C PEREZ:

What contract is the Hon Member referring to, Mr Speaker?

HON LT-COL E M BRITTO:

The GSSL contract for parking at the coach park.

HON J C PEREZ:

Mr Speaker, the Security Company is providing a regular service at night to look after the vehicles parked in the area.

HON LT-COL E M BRITTO:

Mr Speaker, I have no intention of asking GSSL, I am asking the Hon Minister who has informed me that a service is being provided.

HON J C PEREZ:

Mr Speaker, I am not providing a service, the Company is providing a service.

THE HON LT-COL E M BRITTO

Will Government disclose the total number of unexploded bombs and other ordinance located and destroyed in the newly reclaimed land?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, as the House is aware the clearance operation is being undertaken by a detachment of Royal Engineers 33 Squadron and the local R.A.F. E.O.D. Section.

A full official report will be made available to the Government on completion of the clearance exercise scheduled to be completed by the end of August of this year. The Government is not in a position to comment further at this stage.

Supplementary To Question No.144 of 1989

HON LT-COL E M BRITTO:

Mr Speaker, does that mean that the Hon Minister has no idea?

HON M A FEETHAM:

No, Mr Speaker, it means that the Government is, at this stage, not prepared to make any statement on this matter.

HON LT-COL E M BRITTO:

Mr Speaker, is there any reason why events surrounding the disposal of these ordinances are kept so secret?

HON M A FEETHAM:

No Mr Speaker, it is not a question of secrecy. The Royal Engineers and the R.A.F. are carrying out a task which we have, as a Government, requested and a full report will be provided which will be considered by Government in the light of the ultimate findings. As the Hon Member knows there are a number of legal implications involved.

HON LT-COL E M BRITTO:

Will the Hon Minister then commit himself to give a full statement in this House, Mr Speaker, once the Government has considered the report?

HON M A FEETHAM:

Once the Government has the report, Mr Speaker, it will decide what it will do and how it will proceed.

HON A J CANEPA:

Mr Speaker, is that the way that the Minister opposite is accountable to the public? Is that what taking political responsibility amounts to?

HON M A FEETHAM:

Mr Speaker, we are a Government that takes political responsibility for everything that we do. The Royal Engineers are carrying out a task, at our request, when their report is received on the extent of the problem we will decide exactly what we are going to do. The reclamation is, as Hon Members are aware, being carried out by a company, the land belongs to the Government and certain things will have to transpire in between. We will know what to do when we receive their report.

HON P C MONTEGRIFFO:

Mr Speaker, did we not hear in the news, and I stand to be corrected, that part of the site had already been handed over to the developers? And that foundation work-- were due to commence? If the site is still the subject of investigation for ordinances has the handover been delayed?

HON M A FEETHAM:

Mr Speaker, I am prepared to answer the question although it has nothing to do with the original question. Not all the Reclamation is affected and consequently what we are really talking about is north of the North Mole.

HON P C MONTEGRIFFO:

Mr Speaker, then the area that has been handed over is not under investigation?

HON M A FEETHAM:

That has been cleared, Mr Speaker.

HON P C MONTEGRIFFO:

Can the Government not make a statement concerning the area that has been cleared?

HON M A FEETHAM:

Mr Speaker, once I receive the full report, the full report will be analysed by the Government and then the Government will decide what it will make public, if it is necessary we will do so but I am not prepared to commit myself to anything because it will prejudice public interest in doing so.

HON A J CANEPA:

Mr Speaker, it will prejudice the Hon Member's interests.

HON M A FEETHAM:

No Mr Speaker, we are very proud of the Land Reclamation Programme and the fact that it is going to provide 1,300 flats for Gibraltarians. There are already a number of developers committed to the development of that site and by the end of the four years the risk that the Government has taken will have been worth it.

HON M K FEATHERSTONE:

Is the Hon Minister not getting intrim reports from the Royal Engineers, Mr Speaker?

HON M A FEETHAM:

Mr Speaker, these people are very busy doing a very good job let them get on with the work and when they finish let them submit a report.

HON M K FEATHERSTONE:

Mr Speaker, does the Government get intrim reports or not?

HON M A FEETHAM:

The Royal Engineers report the FHQ and FHQ will report to the Government when the clearance has been completed.

THE HON K B ANTHONY

Will Government explain why the small garden around the statue of Queen Victoria at Governor's Parade is being demolished by contractors working on the Holiday Inn?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, the Holiday Inn is in the process of refurbishing the hotel facilities and improving the vehicular and pedestrian access. As part of their general refurbishment the Company submitted proposals for the beautification of the flower bed surrounding the Queen Victoria Memorial.

The proposals have been approved by the Development and Planning Commission and the works which the Honourable Member is referring to are part of the scheme.

Supplementary to Question No. 145 of 1989

HON K B ANTHONY:

Mr Speaker, does that mean that flower beds are just being beautified or is there further development other than the flower beds?

HON M A FEETHAM:

The area is being beautified and part of it is being linked to the raising platform that the Holiday Inn are providing and it is being given a general uplift.

HON K B ANTHONY:

Can I ask Mr Speaker, why this was not done before when it belonged to the Government?

HON J C PEREZ:

The Hon Member should ask his colleagues!

HON K B ANTHONY:

Mr Speaker, I am asking the Government who have been in power for 18 months?

HON M A FEETHAM:

Mr Speaker, the Government has an awful lot of priorities and a lot of areas that require beautifying. If the Holiday Inn are prepared to do it themselves we shall encourage them.

HON K B ANTHONY:

Will it belong to the Holiday Inn or to the people of Gibraltar? The statue was presented by the people of Gibraltar.

HON CHIEF MINISTER:

Victoria will still rule, Mr Speaker.

HON M A FEETHAM:

It will belong to the people of Gibraltar, Mr Speaker.

THE HON K B ANTHONY

Will Government confirm whether Camp Bay beach belongs to the MOD and is only being used by local families as an MOD concession?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, Camp Bay was formally transferred by the MOD on the 4th February, 1966. The beach facilities are an amenity made available for public use by the Gibraltar Government.

Supplementary to Question No. 146 of 1989

HON K B ANTHONY:

Mr Speaker, is the Minister aware that there appears to be confusion by both the Police and the Lifeguards when motorboats have come close to the beach and people have made complaints and it has been said that it is an MOD Beach and nothing can be done.

HON M A FEETHAM:

No Mr Speaker, I am not aware of any such incident.

HON K B ANTHONY:

Mr Speaker, I can assure the Hon Minister that this is the case.

HON M A FEETHAM:

Mr Speaker, if the Hon Member had written to me about the matter before the House I might have had an answer.

HON A J CANEPA:

Mr Speaker, if the Hon Minister were to read the press on a daily basis he would be aware of an incident that took place and was reported in great detail in the Gibraltar Chronicle.

HON M E FEETHAM:

Mr Speaker, the question is "will Government confirm whether Camp Bay Beach belongs to the MOD and is only being used by local families as an MOD concession" and the answer, Mr Speaker, is "Camp Bay was formally transferred by the MOD on the 4th February, 1966 the beach facilities are an amenity made available for public use by the Gibraltar Government". What has that got to do with my reading the press?

HON A J CANEPA:

Mr Speaker, is the Hon Minister not aware that the point that my Hon colleague is referring to is that there has been an incident recently which appears to indicate that there is confusion, in the minds of the Police, and of the Lifeguards, and the position requires to be clarified.

HON M A FEETHAM:

Mr Speaker, why did they not ask that in the original question and they would have had an answer. Instead they ask whether Camp Bay belongs to the Government of Gibraltar or not.

HON J E PILCHER:

Mr Speaker, perhaps I can clarify the matter. There was a Press report, a letter if I am not mistaken, but there was not an official complaint to the Tourism Agency. Mr Speaker, I think that if people have a complaint they should make it to the relevant authority and not to the press or the Members of the opposition. From the press cutting I checked with the pertinent Lifeguard at Camp Bay who informed me that the information quoted in the press had not been given by the Lifeguards to any member of the public. I cannot however answer for the Police but I dare say it would be the same.

HON LT-COL E M BRITTO:

Mr Speaker, it is difficult to put what I want to say in the form of a question but I will try. I would like to inform the Hon Minister that I personally have been told by both Lifeguards and Policemen on duty at Camp Bay that the area is not clearly recognised as a public beach. That in pursuance of that information I contacted the Attorney-General and asked for information and will the Hon Member further accept that I spoke, personally, to employees of the Tourist Agency, at Camp Bay, and appraised them of the situation and that therefore his statement just now, that complaints to the Tourist Agency have not been made is not accurate.

HON J E PILCHER:

Mr Speaker, I think the Hon Member opposite is in fact, to use a phrase which he likes to use, misleading this House. Because he is not referring to Camp Bay but to Promenade adjacent to Camp Bay. The matter which has been raised by the Hon Member, and if I am not mistaken he did raise it with the Agency and I have raised it with the A-G myself, is the area of Promenade adjacent to Camp Bay. This area has never been considered part of the beach and has always been left out of the Regulations controlling the access

to Camp Bay. The matter has been looked into by me over the last few weeks and is being dealt with in the Regulations shortly to be published, the Promenade will be taken into account.

Mr Speaker if the Hon Member wishes to he can write to me telling me the name of the Lifeguard and the Policemen concerned and who said that this was not a Gibraltar Government Beach we will then take the matter up. Mr Speaker other than this incident concerning the Promenade I am not aware of any other reports.

HON LT-COL E M BRITTO:

Mr Speaker, will the Hon Minister again accept the accuracy of what I am going to tell him. Firstly that I again resent the statement that what I said was misleading, because I went out of my way to get clarification from the Attorney-General and from the Commissioner of Police as to whether the Keys Promenade was considered part of Camp Bay or not, and the answer that I got was that it was considered part of Camp Bay. This was given to me personally by the Attorney General and I am sorry that he is not here today to confirm this. At first, Mr Speaker, the Attorney-General had expressed some reservations but he researched the matter and later informed me that it was part of Camp Bay. I was therefore referring to Keys Promenade, but in the light of the information given to me by the Hon the Attorney-General I referred to Camp Bay globally including the Promenade.

HON J E PILCHER:

Mr Speaker, again I thank the Hon Member for the information and I assure you Mr Speaker and the House that we were of the impression that he was referring to the Promenade. The information that the Hon Member has just given me I will check with the Attorney-General because that is not the information which I was given but it does not refer, directly, to the question of whether the ownership belongs to the Gibraltar Government or not. If the wrong information is being given to Members of public then any information which officially points the people giving the wrong information will be quickly clarified by us.

THE HON LT-COL E M BRITTO

Will Government make a statement regarding the disposal of its property at 6, Red Sands Road?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, the property was put on the market for sale through local estate agencies.

The sale was subject to a reserved selling price of £250,000. An offer for this amount has been received and accepted and the necessary documentation is now being drawn up.

Supplementary To Question No. 147 of 1989

HON LT-COL E M BRITTO:

Mr Speaker, was there any reason for the departure from previous practice of going to 3 specific Estate Agents for this purpose?

HON M A FEETHAM:

Mr Speaker, not really. As far as I understand it the instructions were to go to all the Estate Agents. However if it did not materialise, it was not because of any specific instructions not to do so. I have been unable to find out why it was not done. But I assure the Hon Member that the instructions were for all to be informed.

HON LT-COL E M BRITTO:

Is the Hon Minister then saying, Mr Speaker, that there might have been some administrative error and that in future it would go to all Estate Agents?

HON M A FEETHAM:

That is correct, Mr Speaker.

HON LT-COL E M BRITTO:

Can the Minister then also confirm that the price was exactly a £½ Million?

HON M A FEETHAM:

Mr Speaker, the property was valued by the Crown Lands Department and substantiated by other private valuers and a reserve price of £250,000 was placed. The property has been disposed of for that price.

HON P C MONTEGRIFFO:

Mr Speaker, what is the nature of the Commission negotiated with the Government which the Estate Agent could charge? Was it the normal commission or a special commission?

HON M A FEETHAM:

I understand, Mr Speaker, that it was a normal commission.

HON A J CANEPA:

Does the Hon Minister know, Mr Speaker, whether there was only one offer for the property or were there others?

HON M A FEETHAM:

Mr Speaker, there were others but they did not reach a contract being agreed to in principle.

HON A J CANEPA:

What does the Hon Minister mean by that, Mr Speaker?

HON M A FEETHAM:

Mr Speaker that the proposed purchaser dropped out.

HON P C MONTEGRIFFO:

Does the Hon Minister not think that such a property, in a very good site, could have been desposed of without the need to go to an Estate Agent and therefore not pay a commission? And is it the Government's intention for all future sales of such properties to be conducted in this same way? And also Mr Speaker does the Government not feel that it could sell through its own Crown Lands Department or the new Department which has been set up recently rather than through Estate Agents? X

HON M A FEETHAM:

Mr Speaker it is the Government's intention to proceed in the same fashion through private Estate Agents. X

HON A J CANEPA:

Mr Speaker, have any restriction or conditions been placed on the use to which the property may be put?

HON M A FEETHAM:

Mr Speaker, there are no development rights for the property. It is owner-occupier.

HON A J CANEPA:

And the length of the lease, Mr Speaker?

HON M A FEETHAM:

150 years, Mr Speaker.

THE HON P C MONTEGRIFFO

Can Government now confirm where and when it will establish:

- a. the building components factory?
- b. the bicycle factory?
- c. the ball point factory?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, it is not Government policy to establish any factory in Gibraltar.

In so far as the three mentioned by the member opposite is concerned the prospective investors, as far as the Government is aware, continue with endeavours to set up these factories.

Supplementary to Question No. 148 of 1989

HON P C MONTEGRIFFO:

Mr Speaker, did the Government not indicate recently that it still had to take a decision on whether the building components factory would be set up in Gibraltar or Spain?

HON M A FEETHAM:

Yes, Mr Speaker, but I made it quite clear, and I think it was in answer to Question 71 of 1989, that I said that the investors were negotiating with the authorities on the other side and indeed are discussing with the Government the possibility of an alternative site in Gibraltar for setting up the factory. It does not necessarily follow that the Government is directly involved in setting up the factory.

HON P C MONTEGRIFFO:

Mr Speaker, will the Government confirm what sort of deadline it has in mind for the setting up of the factory in Gibraltar be it through the developers, the promoters or otherwise bearing in mind the Development Programme and bearing in mind the indication given in this House last time, that September before or later would be the deadline?

HON M A FEETHAM:

Mr Speaker, we do not set the deadline, Mr Speaker.

HON P C MONTEGRIFFO:

The Hon Minister did, Mr Speaker.

HON M A FEETHAM:

We announced, Mr Speaker, what the investors intentions were. The setting up of the factory is linked to a number of developments taking place and which are now at a very advanced stage. One thing is synonymous with the other and at present the investors see the end of August beginning of September as the more likely date for mobilisation with regards to the factory.

HON P C MONTEGRIFFO:

What does the Hon Minister mean by mobilisation, Mr Speaker?

HON M A FEETHAM:

The beginning of the works for the setting up of the factory Mr Speaker.

HON P C MONTEGRIFFO:

Mr Speaker, does the Government still consider that Spain is an export market for the building components factory? Is that one of the areas that the Government is considering?

HON M A FEETHAM:

Mr Speaker, the investors certainly think so.

HON P C MONTEGRIFFO:

Mr Speaker, is the Government actually assisting the investors in seeking the special customs regime which we understood was necessary in order to allow the factory to be set up successfully in Spain? Or is the Government not participating in that at all?

HON M A FEETHAM:

Mr Speaker, the Government is not participating, the Government is attempting to support the request from the investors as to the sort of arrangements they would like to see in place. Any Government that seeks investment in Gibraltar would try to do its best to meet all conditions put forward, however not all these conditions can sometimes be met. It is however up to the investors themselves to seek, and they are seeking such arrangements.

HON P C MONTEGRIFFO:

Mr Speaker, I do not wish to labour the point but this is not investment in Gibraltar it is investment in Spain, since the factory will be built there. And what I would like to know is the nature of the support that Government is giving to the investors in the seeking of Special Customs arrangements bearing in mind that the news of the factory was very much heralded as an example of practical co-operation with our neighbours and which the Government was seeking as an example of what could be done? What is the Government doing in supporting these moves?

HON M A FEETHAM:

Mr. Speaker, all we have done is put them in touch, and in fact made the initial representation with them, the La Linea Ayuntamiento and the technical people in Spain, that is the nature of our involvement so far as the setting up of the factory on the other side is concerned. I have made it quite clear that the decision will be made by the people putting up the money not the Government of Gibraltar.

HON P C MONTEGRIFFO:

Finally, Mr Speaker, having understood that, at what time will it become necessary for the Government to seek alternative materials from another source for building materials, for its own Development Programme, because there must be some deadline by which the building components factory must be in place for the Government to become its client for the Development Programme?

HON M A FEETHAM:

The question of alternative supplies is determined by the contractors who carry out the work be it for the Government or be it for a private company. We are not in the business of stock piling supplies. Supplies come from the traditional areas and the constructors will obtain supplies from those areas.

HON P C MONTEGRIFFO:

I do not understand, Mr Speaker what was then the reason for the purported deadline of September? Because when the Chief Minister went to La Linea he said that the factory had to be set up by September? Because by then Gibraltar would need the product for the Development Plan. If there was never any link then there is no deadline that is relevant at all?

HON M A FEETHAM:

Far from it, Mr Speaker. First of all let us discard the question of reports. What is relevant is what is said in this House, not what is said in the newspapers and particularly in "Area". What I have said and what I will continue to say is that the Government is supporting the setting up of a Building Components Factory be it in Spain or be it in Gibraltar. The final decision will be taken by the investors. The Government has taken the initiative of ensuring that should the factory be set up in Gibraltar, a site is available. The deadline continues to be September for the mobilisation of the factory. Full stop.

HON P C MONTEGRIFFO:

Mr Speaker, will the Minister not accept that in this House he said that the deadline was September and that the Government would guarantee work for the first 5 years. Is that not on the record?

HON M A FEETHAM:

Mr Speaker, thirty seconds ago I said that the deadline continues to be September.

HON CHIEF MINISTER:

Mr Speaker, it is not that the Government has imposed a deadline on anybody. It is that in the Company's Business Plan they have themselves said to us this is the target towards which we are invoking. And we in answer, to the request for information from the other side, told them the information that we have. We are sharing with them the information that we have.

THE HON LT-COL E M BRITTO

Will Government explain the continuing delays in completing the formalities for handing over the Rosia Dale Estate to the Rosia Dale Tenants Association?

ANSWERTHE HON THE MINISTER FOR HOUSING

Mr Speaker, the delays in completing formalities for handing over the Rosia Dale Estate to the Rosia Dale Tenants' Association is that the Association have said that they are not ready to take over.

The Government is waiting for the Rosia Dale Tenants' Association to say when they are ready to complete formalities. The Government have been ready since March 1989.

Supplementary To Question No. 149 of 1989

HON LT-COL E M BRITTO:

Mr Speaker, perhaps the Hon Minister will accept from me that the Association will be delighted to learn of what he has just answered, because I have been asked by the Association to try and put some pressure since they were wondering about the delay in the handover. They also informed me that the Hon Minister has said that he required to meet them to re-negotiate certain aspects.

HON J L BALDACHINO:

No Mr Speaker. In March 1989 when nearly all the sales were finalised I then gave instructions to my south district warden not to carry out any more cleaning of the estate, since the estate belonged to the Rosia Dale Tenants' Association. I then had representations from some of the people who had bought houses in Rosia Dale saying that they were not yet sufficiently organised and as a result I informed them that I was prepared to continue with the cleaning of the estate until they were in a position to carry out the cleaning of the estate. This has as yet not happened. It is also true that I also told them that I needed time to sit down with them to discuss the best way of solving the question of those persons who have not bought their houses and how much the Government should pay for those people and how it should be done. As I say, Mr Speaker, I am still awaiting a response from the Association.

HON LT-COL E M BRITTO:

To conclude, Mr Speaker, can the Minister confirm that I can advise the Association that if they approach him he is ready to start negotiations with them?

HON J L BALDACHINO:

Mr Speaker, the Hon Member can go further than that. He can tell the Tenants' Association that I am prepared to handover the estate tomorrow.

THE HON LT-COL E M BRITTO

Will Government say whether the housing units being built at Glacis Estate within the Portmore, Ironside and George Don complex:

- (a) were approved by the Development and Planning Commission?
- (b) have the technical approval of Senior Architects and Planners at Crown Lands and PWD?
- (c) maintain the population density within acceptable levels?

ANSWERTHE HON THE MINISTER FOR HOUSING

As the Honourable members opposite should be well aware, unless planning difficulties were envisaged, it has never been the practice to take Government projects to D.P.C. for approval.

The plans were not submitted for approval of the officers and departments named as the scheme was produced in-house by the Housing Department which has its own technical/professional expertise.

The number of units being built will provide for approximately 30 persons which is a figure we are advised should not affect the density of the Estate.

Supplementary To Question No. 150 of 1989

HON A J CANEPA:

Mr Speaker, will the Hon Minister accept that he has been misinformed with regard to his statement that "unless planning difficulties are envisaged, it has never been the practice to take Government projects to D.P.C.". The position is, Mr Speaker, that the Town Planning Ordinance does not bind the Crown and therefore neither the Gibraltar Government or the M.O.D. have an obligation to submit any plans. But will he further accept that it has always been the practice for Housing Schemes, drawn up by the Gibraltar Government, at the planning stage to be taken to D.P.C. for their comments and views.

HON J L BALDACHINO:

Mr Speaker, the information that I have is that projects like those of the bedsitters built at St. John's Court and those built at Glacis were never sent to D.P.C. Projects quite rightly, as the Hon Member says, like Housing Estates and similar projects, and we submitted the "Pre-fabs" at USOC and Poca Roca, but my advise is that projects like those mentioned in the question have never been submitted to D.P.C.

HON A J CANEPA:

Mr Speaker, I do not quarrel with the Minister in what he has said, with what I quarrel is with the initial statement that "only when planning difficulties are envisaged". If the Hon Minister had said that "minor projects which involve creating within an existing Housing Estate, a small number of units, had never been taken to D.P.C." that is another matter all together.

HON J L BALDACHINO:

Mr Speaker, I have answered in respect of the question asked.

HON LT-COL E M BRITTO:

Mr Speaker, coming back to the original question. Will the Minister accept that there was resistance either verbal or otherwise from Crown Lands and P.W.D. to the whole concept of building within the Housing Estate?

HON J L BALDACHINO:

Mr Speaker, the Hon Member appears to have more information than Ministers on this side. As far as I am aware nobody has written to me on the lines he has suggested.

HON LT-COL E M BRITTO:

Mr Speaker, it is not a question of having more information, it is that we are so used to the Government trying to find loop holes in the questions to avoid answering them, that one has to dig to get information. And the feedback that I have is that certainly technical disapproval to the project from Senior Architects and Planners in Crown Lands and P.W.D. was made known.

HON J L BALDACHINO:

Mr Speaker, if the Hon Member tells me who they are fine, but I am not aware of any disapproval either verbal or in writing.

HON LT-COL E M BRITTO:

Mr Speaker, is the Hon Minister saying that if it had been submitted to D.P.C. it would have had the approval of everyone concerned?

HON J L BALDACHINO:

Mr Speaker, I do not need D.P.C. approval. It has been done in-house because we have the necessary expertise.

HON LT-COL E M BRITTO:

Mr Speaker, does that mean people like the Chief Environmental Health Officer and the Chief Fire Officer were not consulted?

HON J L BALDACHINO:

Mr Speaker, the Chief Fire Officer has probably been consulted by the Head of the Project, at least I hope he has done so.

HON A J CANEPA:

Mr Speaker, will the Hon Minister check that that is the case, Mr Speaker. Because it is a very serious matter if the Chief Fire Officer has not been consulted.

HON J L BALDACHINO:

Mr Speaker, my colleague responsible for the Fire Brigade has said that it has been submitted to the Chief Fire Officer

THE HON P C MONTEGRIFFO

Will Government confirm what assets have been or are intended to be transferred to the Gibraltar Tourism Agency and whether the Agency's liabilities are underwritten by the Government?

ANSWER

THE HON THE MINISTER FOR GSL AND TOURISM

None, Sir. No liability is being undertaken.

Supplementary to Question NO. 151 of 1989

HON P-C MONTEGRIFFO:

Mr Speaker, does that mean that it is Government policy, with regard to the Agency, that the Agency will rely on its limited liability of Creditors claims or in the event of a liquidation? Are people dealing with the Agency expected to deal with it as a Limited Company without Government backing?

HON J E PILCHER:

Yes Mr Speaker. The Agency has a Government contract to perform a function as laid down by Government policy. It is there to manage the company and in managing those assets the company has liability against insurance claim etc. But it is to be treated as a Limited Company.

HON P C MONTEGRIFFO:

Mr Speaker, does the Government not consider since it is considered to be a Public Agency, that there should be some Government backing, underwriting, so that people dealing with Agency have something more than limited liability.

HON CHIEF MINISTER:

Mr Speaker, the Hon Member should know that to undertake such underwriting as he suggests would be illegal, unless approved by a Motion in the House of Assembly, because the Public Finance (Control and Audit) Ordinance provides that if the Government is underwriting the liabilities of the entities it has to be with the approval of the House of Assembly since it effectively creates an impacting on the borrowing capacity of the Government of Gibraltar. He should know that, because the only occasions when we have actually underwritten anything has been when the previous administration brought a Motion underwriting the overdraft of GSL. This is provided for by the Public Finance (Control and Audit) Ordinance. It would be pointless to have a limited liability company and then for the Government to accept no limit to the liability by underwriting it.

HON P C MONTEGRIFFO:

Mr Speaker, the point that has to be made is that in dealing with the Agency, which has been explained as a vehicle to rationalise the Civil Service, unless the Government clearly states that it is not responsible for the Agency's liabilities, as is now the case, that an element of underwriting is what people would expect when dealing with an Agency which is essentially considered by people as a Government owned agency. Mr Speaker, if legislation requires to be passed no doubt it would be. The point is the Agency was not set up, as far as it has been explained, to restrict Government liability, it was set up as part of a restructuring exercise and people dealing with the Agency, I put it to the Minister, believe that they are dealing effectively with the Government but, in fact, are dealing with a shell, a limited shell. Not owned by ICI or BAT but in fact by someone who is not prepared to underwrite its functions. That is the point that should be made clear.

HON J E PILCHER:

We have made it clear, Mr Speaker. Although I do not know to what people the Hon Member is referring to.

THE HON A J CANEPA

Will the Government explain why no more apprenticeships are being offered by Gibraltar Shiprepair Limited?

ANSWER

THE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, Gibraltar Shiprepair Limited discontinued apprenticeships under the AACR administration. When I took over the Chairmanship of the company, the matter was looked into once again and it was decided that, since the strategy to be followed was to reduce the dependence on shiprepairing activities, it would not make sense to re-introduce apprenticeships at this stage.

Supplementary to Question No. 152 of 1989

HON A J CANEPA:

Will the Hon Minister care to comment, Mr Speaker, on the statement attributed to Mr Ken Navas, the ACTSS Convenor at GSL, and made to the Gibraltar Chronicle on the 18th July to the effect "there is a need to have a larger number of highly trained employees".

HON J E PILCHER:

No Mr Speaker, Mr Navas is quite capable of answering his own statements.

HON A J CANEPA:

What are the Hon Minister's views on such a statement, Mr Speaker? Is there a need in GSL to have a larger number of highly trained employees? Does the Minister agree with that statement?

HON J E PILCHER:

Mr Speaker, I am not answerable in this House for Mr Navas's statement. I have already made my statement and if the Hon Member cares to analyse what I have said it would not make sense to re-introduce apprenticeships at this stage.

HON A J CANEPA:

Does that mean that the matter is being kept under review?

HON J E PILCHER:

Of course, Mr Speaker, the whole future of GSL is under review and this is included in the review.

THE HON A J CANEPA

What is the Government's position on Gibrepair and on its future viability?

ANSWERTHE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, the Government's position on Gibrepair is well known. The company have now finished the re-structuring and will shortly be undergoing a six monthly audit. This together with the report by the Board of GSL will give the Government the necessary information to determine the future viability or otherwise of the company. In the first instance, the Government will inform its employees and shortly thereafter the House of Assembly and the people of Gibraltar. I can however, confirm that a decision to cut back on the size of the yard has already been taken. The scale of that reduction is still dependant on the information mentioned previously.

Supplementary to Question No. 153 of 1989

HON A J CANEPA:

Mr Speaker, is the Minister aware of the fact that he has slipped considerably in his targets and that he had previously stated, in this House, that the exercise would be completed by the end of June and that therefore at the July meeting of the House he would be in a position to make a comprehensive statement on the future of GSL?

HON J E PILCHER:

Mr Speaker, it is still the Government's intention, as soon as possible, to make a full and comprehensive report on GSL to this House and to the people of Gibraltar. In fact it is something which we want to do as soon as possible but nevertheless we do not want to do it hastily but until we have all the information available. The information that we need having finished the restructuring, which finished at the end of June, is the six monthly audited accounts and the Board's Report. The Board will in fact be meeting shortly and immediately that the information is available to the Government we will be making a full report to this House.

HON A J CANEPA:

Mr Speaker, is the Hon Minister in a position to say whether the yard has in fact been accepting work which it could not realistically undertake and that it was therefore losing money on such work?

HON J E PILCHER:

When the full statement is made, Mr Speaker, on the future of GSL this will be one of the areas to be tackled by me.

HON A J CANEPA:

Mr Speaker, is the Minister in a position to say whether they owe any money to their subsidiary joint venture companies? And if so will he give details?

HON J E PILCHER:

Mr Speaker, the position of the accounts of GSL is well known to this House and again I have to say to the Hon Member opposite that this will form part of the overall statement that I will be making as soon as possible.

THE HON LT-COL E M BRITTO

Will Government clarify whether there are any classes of people who do not pay one or more of the following charges, either by direct exemption or by some form of indirect Government subsidy -

(a) Rent (b) Rates (c) Water (d) Electricity (e) Telephone?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

The following persons are not liable to charges, Mr Speaker:

RENT:

- 1) Those persons eligible to Rent Relief under the Section 35 of the Landlords and Tenants Ordinance.
- 2) Public Officers whose conditions of service entitle them to rent free accommodation.

RATES:

1. Those persons exempted under Section 279 of the Public Health Ordinance.
2. Those persons occupying properties covered by a licence under the Development Aid Ordinance. A small number of such properties are still covered by an element of Rating Relief under Section 280 of the Public Health Ordinance.
2. Those Charitable and/or Religious Institutions in respect of which the Governor has authorised partial or total exemption under Section 282 of the Public Health Ordinance.
4. Owners eligible to relief in respect of unoccupied property as provided under Section 273 of the Public Health Ordinance.

WATER AND ELECTRICITY

No persons are either in receipt of a Government subsidy or exempt from the payment of Electricity and Water.

TELEPHONE

1. Those Government officers eligible to Telephone Allowance under their conditions of service.
2. Persons who are granted a telephone subsidy under the Supplementary Benefit Scheme.

However if what the Hon Member is getting at is the provision of telephones for Government Ministers, this was answered in question No. 113 of 1988.

NO. 155 OF 1989

THE HON G MASCARENHAS

Will Government ensure that the industrial dispute with the Nursery Officers is resolved before the start of the new school year?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the Government cannot guarantee that this or any other industrial dispute is resolved by any specific future date, anymore than any other employer can. The industrial action was however lifted in this particular case and negotiations are taking place with the Personnel Manager who hopefully will provide a satisfactory solution to the problem.

Supplementary to Question No. 155 of 1989

HON G MASCARENHAS:

Mr Speaker, will Government take into account the hardship that industrial action of this nature courses to many parents, particularly the female in the family, and take this into account. Will the Personnel Manager take this into account?

HON CHIEF MINISTER:

No. Mr Speaker, it is not that we want anybody to suffer hardship. The Hon Member must realise that if one is going to be influenced in settling a dispute by the degree of hardship that is caused to potential users of that service then by implication, it means that the more hardship that is caused the bigger the settlement you should reach. Therefore what we are trying to do is persuade, as I think I have said before in this House and which Members opposite have said that they hope I will succeed in achieving, that we will look at the merits of their case irrespective of whether there is action or not going on. Let me say that the merits of this particular case have ben looked at many times before. The Hon Member may know this. In fact the structure that we have in the schools was introduced in 1981 and that 1981, because I have gone back and checked the information available in the files in order to answer this question, I find that the Officials in the Department were already warning the Government, in 1981, that they could be facing future problems by introducing the structure that was being introduced. And regretablely the problem is here now and has been raised periodically on and off. It stems from the fact that the argument is that there are people doing the same job with different titles and different rates of pay. This is always a ver y difficult problem to resolve.

HON G MASCARENHAS:

Mr Speaker, I am aware that the problem is a long standing one but I would like the Chief Minister to be aware that we are dealing with pre-school aged children and that they are different to any other form of industrial action.

HON CHIEF MINISTER:

Mr Speaker, the Government's wish is that this matter should be resolved during the summer holidays so that the problem is over by the time school starts. But what I am not prepared to do is give any kind of undertaking in that respect and then to be asked by the Hon Member opposite that the Government has now admitted that it has failed because the claim has not been met. The opposition will not get any dates from me, Mr Speaker.

THE HON P C MONTEGRIFFO

What are the specific uses that Government has made of the monies that have passed through the Gibraltar investment Fund including:-

- a. The £3m transferred to it as a result of the dissolution of the Funded Services;
- b. The drawing down of any borrowings made on behalf of the Government?

ANSWERTHE HON THE CHIEF MINISTER

There are no specific uses for specific sums of money in the Gibraltar Investment Fund. The fund was created in accordance with the policy in the GSLP manifesto on which the 1988 electoral programme was based.

The purpose of the fund is to promote the economic and social development of Gibraltar by investment in such commercial or industrial undertakings as the Government considers beneficial to the promotion of such development as stipulated by its institution under the provisions of Section 18 of the Public Finance (Control and Audit) Ordinance.

As the House already knows from the previous statements, that I have made the major investment was planned to be the Gibraltar National Bank but it has not been possible to proceed with this as quickly as had been hoped. As a consequence the bulk of the funds have been directed to the creation of the Gibraltar Commercial Property Company.

Supplementary to Question No. 156 of 1989

HON P C MONTEGRIFFO:

Mr Speaker, where and how is the £3 million being held pending? Is it being held as a separate fund?

HON CHIEF MINISTER:

Mr Speaker, I believe that none of the money in question has yet been transferred. It is still in the Consolidated Fund.

HON P C MONTEGRIFFO:

Mr Speaker, I take it from the Hon Chief Minister's reply that therefore none of the commercial borrowing has been taken up and put into the Investment Fund at all?

HON CHIEF MINISTER:

No, Mr Speaker, some of the drawings have already been used to capitalise the Commercial Property Company which, I think I announced during the Budget Session of the House, and I remember at some stage explaining that the first property bought was St Jago's Building and I also explained already, Mr Speaker I believe, that the position was that we were recycling the Money into the Improvement and Development Fund i.e. instead of borrowing the money from the Bank and putting the money into the Improvement and Development Fund we are borrowing the money from the Bank creating shares in the Commercial Property Company with that money and the money that the company has is used to purchase property from the Government and the receipts from the sale of the property, as laid down by the Public Finance (Control and Audit) Ordinance, is income for the Improvement and Development Fund. What we are doing in fact is that the money from the Loan finishes up in the Improvement and Development Fund but in the process passes through the Investment Fund and creates the Commercial Property Company, which again as I announced a considerable time ago, it is the intention to make shares in this company available to the general public. We are not in a position to do this because, if the Hon Member will recall, we legislated in April last year, 1988, in order to offer tax relief for investment in such shares but the way the amendment was drafted, at the time, meant that that relief would only be available provided the investment took place within the Tax Year which ended on the 30th June; And since we often find that we programme to do certain things at certain times and either within the public administration or with the solicitors that are handling the registering of the shares or whatever, we sometimes find that we cannot meet the very fast pace that we are trying to get things done at. We find that we overlap the date and then we cannot do what we had set out to do. And this is one case in point. We set out to do a certain series of things and then we find that they had not been done before the 30th June and in fact in this House of Assembly there is a Bill to amend the Income Tax Ordinance to enable us to have the flexibility to alter the dates when we find this sort of thing happening.

HON P C MONTEGRIFFO:

Mr Speaker, in the light of the Chief Minister's explanation, no money transferred to the Fund has been used to pay up the shares in the various other joint venture companies. Does that mean or rather is the Chief Minister prepared to accept to answer this question? That share capital for all the other joint venture companies has been money taken from either the Consolidated Fund or the Development and Improvement Fund?

HON CHIEF MINISTER:

No, Mr Speaker.

HON P C MONTEGRIFFO:

Mr Speaker, where has the money for the other joint venture companies come from then?

HON CHIEF MINISTER:

I have said, Mr Speaker, that the bulk of the money has gone into the Commercial Property Company. When we are talking of £ millions, in addition to that we have been investing hundred of thousands of pounds in other things but 96% or 97% of the money is devoted to financing the Government's investment programme in the Improvement and Development Fund. If the Hon Member goes back and reads the published Approved Estimates of Expenditure he will find that there is a £22.5 million Development Programme scheduled to take place in this Financial Year and there is, on paper, a deficit and that deficit is in the process of being corrected by the raising of finance for which we obtained the approval of the House in the Loans Empowering Ordinance. This is being done by the equity in the buildings that the Government owns and therefore recycling the money. So, in fact, now it is being done

as we said it would be done. I cannot follow, Mr Speaker, what the Hon Member is saying about using the money from the Improvement and Development Fund. He ought to know, Mr Speaker, that it cannot be used, that the Improvement and Development Fund can only be used for the purposes for which the House has approved expenditure and the Consolidated Fund can only be used for the purposes for which the House has approved expenditure. This is why we have the Appropriation Bill.

HON P C MONTEGRIFFO:

Mr Speaker, what I know is that the Hon the Chief Minister has the Fund and which means that the Government can use monies without an element of public accountability from this House. What I would now like to ask the Hon the Chief Minister, Mr Speaker, is when can we expect the Accounts of the Fund to be prepared and if he is prepared to give me an itemized breakdown of the use to which the fund has been put since its creation?

HON CHIEF MINISTER:

The answer, Mr Speaker, is that he will get ^{it} the some way as any other Special Fund i.e. when they have been audited. The answer to his second question is that I am not prepared to give him an itemized breakdown of anything. The position is that we explained what we would do in our Manifesto and we got elected to do it. We said in the Manifesto that this would be done by redeploying existing resources and we are doing it in the way that we said we would do it. The Hon Member may not agree with it and that is the reason why he is on that side and I am here.

HON P C MONTEGRIFFO:

Mr Speaker, can the Chief Minister confirm that the money in the Investment Fund, apart from the £3 million from the association of the Funded Services, is recycled wealth belonging to the people of Gibraltar? That this is an Investment Fund used specifically to spearhead the Government's Investment Policy? And I put it to the Government, Mr Speaker, that they should itemize at periodic stages i.e. every quarter what funds have been used? Because, Mr Speaker, if the Government is going to produce Audited Accounts, as it must, what is danger of not letting us know, every three months, what monies have been used and what for?

HON CHIEF MINISTER:

Mr Speaker, I do not see why the Hon Member is so keen to know when he is against what we are doing and he fought an election opposing our policy. If he ever gets elected into Government then he can dissolve the Investment Fund and do something different. What we are doing is implementing the Government's Programme in accordance with the Public Finance (Control and Audit) Ordinance and in accordance with the powers that we have legislated to enable us to do it. Mr Speaker, like every other Special Fund in the Accounts of the Government of Gibraltar, the Hon Member will get the information at the same time as every other Special Fund. There is no greater reason why I should tell the Hon Member what is each individual investment from the Investment Fund than any other previous Government has ever been asked in this House by any previous opposition in the sixteen years that I have been here Mr Speaker, it might have happened before, but not in the sixteen years that I have been here. There has never been any occasion when the Government has been asked for a breakdown of all the investments in any other Special Fund. It has never happened, and there is no reason why it should. Mr Speaker, what is there to stop the Hon Member, if I were to accept the legitimacy of his position, from tomorrow asking that every quarter I should let him have an itemized breakdown of all the investments in the Government Insurance Fund or in the Savings Bank Special Fund or any other Special Fund that he cares to ask for to enable him to find some argument to criticize us. Mr Speaker, the answer is that he is not going to get the information.

HON P C MONTEGRIFFO:

Mr Speaker, the Chief Minister well knows that this Fund is totally different to the other Special Fund. This is a fund which is being used with the people of Gibraltar's money without public accountability. The Chief Minister knows this, Mr Speaker, to be the case and to draw a distinction with the other Special Funds in the Government Accounts is misleading and quite inaccurate and he should accept, Mr Speaker, that it is not a fair and accurate comparison?

HON CHIEF MINISTER:

Not only do I not accept that that is the case, Mr Speaker, I put to the Hon Member that it is utter and complete nonsense what he is saying, and that it is so much nonsense that it is impossible for him to honestly not know it, and that he is deliberately talking nonsense in an attempt to undermine what the Government is trying to do by suggesting that we are doing something that we should not be doing. Mr Speaker, the guardian of the Constitution of Gibraltar as of the Public Finance (Control and Audit) Ordinance or of anything else is not the Hon Member opposite but the Attorney-General. And I can tell the Hon Member that the way the funds are being invested in the Gibraltar Investment Fund is perfectly in keeping with the Control of Public Finance laid down in the laws of Gibraltar and if he does not think that that is the case, then I invite him that instead of talking any more nonsense in this House to take us to the Supreme Court where he can challenge the constitutionality of what we are doing.

HON P C MONTEGRIFFO:

Mr Speaker, what I am asking the Chief Minister is how he can reconcile not giving information in this House about a fund which contains monies belonging to the people of Gibraltar with the Government's expressed policy of open Government?

HON CHIEF MINISTER:

Because as I have said before, Mr Speaker, the Hon Member opposite is not the elected guardian of the conscience of the GSLP. I reminded him of that during the Budget Debate when he was jumping up and down on the other side like Pinocchio's son and telling us where we are acting sinfully. If we say we believe in informing the people we will inform the people of what we think is important that they should know. It will be our judgement. We will make mistakes or we will not make mistakes. But it is the judgement of the Government of Gibraltar now, and it has always been, to take decisions on what to explain about what they are doing. It is quite obvious that the Hon Member is not interested in the people, he is not interested in the welfare of the people, or in open Government, he is interested in being able to corner the centre of the stage so that he can project himself as the only man in the opposition that is pushing the Government along and we have very many important things to do than to play silly games with the Hon Member. So the answer is that we are carrying out an investment programme, we are doing what we were elected to do, because it is in our Election Manifesto and is more than what the AACR ever did in sixteen years because they came into power and did what they liked. What the AACR did was say "if you want Hassan vote for the seven" and presumably what the Hon Member is hoping for is at a future date to say "if you want Montegriffo vote for the seven". Then, Mr Speaker, he will not have to mind about open Government because that will never enter into their

vocabulary. We are being more open than they have ever been, perhaps not enough to satisfy the Hon Member opposite, but then he joined the wrong party.

HON P C MONTEGRIFFO:

Mr Speaker, if I am Jiminy Cricket then I suppose the Chief Minister well knows what Pinocchio, presumably himself, was infamous for? Perhaps he can explain to the people what Pinocchio was infamous for?

MR SPEAKER:

Next Question.

THE HON LT-COL E M BRITTO

Will Government give details of the destination, purpose and cost of each visit abroad made by Ministers during 1989?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, I hope with my answer which I have tried to make as comprehensive as possible I will exhaust the Hon Lt-Col Britto's appetite for open Government. During 1989 a number of overseas visits have been made by myself and other Ministers in pursuance of the Government's policy of promoting Gibraltar or as a result of the need to participate in international events representing Gibraltar.

In February I combined a visit to France, at the invitation of the French Multinational Group, Spie Batignolle with a visit to Madrid at the invitation of Spanish Television to appear in the Spanish programme 'La Tarde'.

The visit to France involved a presentation of the construction of Nice Airport on reclaimed land and was in anticipation of French proposals for a new Gibraltar International Airport which were submitted to the Gibraltar Government at the time of Sir Geoffrey Howe's visit. Advantage was taken of the visit to include a visit to the town of Laon which has a population of 30,000 to see the inauguration of a Rapid Transit System based on electric traction and operating over very steep inclines which Spie Batignolle have developed and which the company feels might be capable of application to Gibraltar.

It also involved a visit to the Company's headquarters north of Paris where the main research campus is, with some 5,000 employees, and where developments in a variety of products varying from incineration of refuse to electronic filing systems and smart card office technology were discussed as areas of possible interest to Spie Batignolle in terms of the Gibraltar Market.

In Madrid as is known I took part in an interview on television and made use of my time there to meet and discuss with the British Ambassador matters of mutual interest to Gibraltar.

In all these meetings I was accompanied by the Minister for Trade and Industry.

I then followed this with a visit to Hong Kong to open the local offices of the Gibraltar Information Bureau and to attend the Costa del Sol property exhibition at which the Gibraltar Information Bureau had a stand.

There was wide publicity given to our participation and the launching of the Bureau. I gave radio, television and press interviews on the Gibraltar economy and its potential. There was also a reception to inaugurate the Bureau which was very well attended by a wide cross section of prominent Hong Kong businessmen.

I attended a number of meetings with different business groups organised by institutions with a Hong Kong and Gibraltar presence for example the Bank of Credit and Commerce whose Gibraltar Manager was in Hong Kong specially for the Bureau opening.

I also had a chance to meet a number of Hong Kong based Gibraltarians. I was able as well to fit in a meeting with the Governor of Hong Kong, Sir David Wilson, to exchange views on a number of issues.

On my way back I was able to visit Malta at the invitation of the General Workers Union. I held meetings with the management and workforce of the commercial dockyard whose experiences following the closure of the Naval Yard in the 1960's have been with problems similar to our own. I met the Prime Minister and Leader of the Opposition. I also held meetings with the leadership of the Labour Party and the General Workers Union, and with the Chairman of Air Malta and the Minister of Tourism exploring the possibility of improving communications and trade between our two communities. I was joined in Malta by the Minister for Trade and Industry who was able to participate in these discussions.

Last month I attended the Regional Conference of the Commonwealth Parliamentary Conference. I was accompanied by the Minister for Labour, as Regional Representative, and the Minister for Education as well as the Leader of the Opposition and the Hon Dr Valarino. I took advantage of my presence in London to hold a number of meetings and promotions. I was asked to be the keynote speaker for the first International Offshore Convention and was joined for this occasion by Mr James Levy who kindly agreed to support the Government's participation and shared the platform with me on the second day of the Convention. I was also asked to become the first Patron of the newly created institute for Offshore Investment which I accepted. I held meetings with a firm of City solicitors to discuss the draft Financial Services Ordinance and Commision which has now been published.

I attended a lunch hosted in my honour by the Commonwealth Jewish Council kindly organised by the Rt Hon Greville Janner MP and very well attended by members of the Council, Foreign and Commonwealth Office representatives, the Ambassadors of a number of small Commonwealth States and of Israel.

I held a lengthy meeting with Neil Kinnock during which we reviewed a number of areas of my Government's economic programme especially in the light of the economic policies a future Labour administration in the United Kingdom might have which could impact on our economy.

I also had a two hour meeting with Mrs Lynda Chalker during which we reviewed a number of areas of mutual concern to ourselves and Her Majesty's Government. As is already known we have agreed that this should become a regular feature and the next such meeting is due early in October and will now take place with Mr Maude, Mrs Chalker's successor at the Foreign and Commonwealth Office.

I also had meetings and discussions on matters affecting Government's future plans with the Crown Agents. This involved both the management of the Gibraltar Government's investment portfolio as well as the proposals for an international fund to be created by and for members in small states which I proposed during my participation in the Small States Forum at the IMF World Bank meeting in Berlin in 1988.

I also held a meeting with the Director General of the Commonwealth Fund for Technical Co-operation and from which I discovered that virtually the entire Commonwealth, except Gibraltar, belongs to. Since my return, the Council of Ministers has approved Gibraltar's application for membership and a contribution to the Commonwealth Fund is to be made in the current Financial Year for which supplementary funds are being sought in this House. I held meetings with individual members of the Parliament and addressed a general meeting, in the House of Commons, of the British Gibraltar Group during which I was able to give an up to date report on the progress we have made in our first year towards the goal of creating a viable economy and the many problems we still face. I took the opportunity to explain our Government's opposition to the airport deal and the lack of progress on maritime communications. I also had some 10 meetings with different groups of businessmen, some of whom were already involved in Gibraltar, others interested in hearing at first hand from me the investment potential that exists. Whilst in London I was joined for one day by the Minister for Government Services and senior executives from Nynex who came out from the United States to discuss the proposals that the company will be putting to us for a joint venture. The meeting, at their request, was to get further clarification of the type of venture that the Gibraltar Government is looking for.

The Minister for Government Services also held meetings in London with British Telecom, at their request and for economical reasons this was done on the way back from a visit to Stockholm to attend the Congress of European Lotteries to see what effect the 1992 situation would have on Gibraltar and to discuss the technology governing worldwide lotteries. The proposal for a world lottery from Gibraltar was also discussed. Finance Ministers from most European countries were represented and, therefore, the growth of the financial centre in Gibraltar was of great interest to them. The Minister for Government Services also visited Paris to attend a World Stamp Exhibition - Fillex France - and Berne to make a presentation to the International Postal Union Headquarters on behalf of the Gibraltar Post Office. Advantage of these visits were also taken to go to Copenhagen to look at a number of sites operating incinerator plants for refuse, where a very high standard of emission control is maintained and as a result there is virtually no environmental effects. A feasibility study with the possibility of some plants being introduced in Gibraltar is already under way and discussions were held with a firm called BIRWELCO on Gibraltar's future incineration needs. BIRWELCO is undertaking a feasibility study, at their own expense, which will be at the disposal of the Gibraltar Government once finished.

The Minister for Trade and Industry in addition to the visits I have already mentioned, attended a conference at Wilton Park on EEC matters. The theme of the conference was the progress of the European Communities 1992 programme and its implications for world trading partners. As Members opposite will know Wilton Park conferences congregate an international cross-section of prominent politicians, diplomats and businessmen. In the past these conferences have been attended by Gibraltar Government Ministers, members of the Opposition, Civil Servants and local businessmen.

In addition the Minister went to London to hold discussions with other investors interested in participating in the airport expansion, and to Holland to hold discussions with our Dutch partners in the land reclamation programme.

The Minister for Tourism and GSI made a visit to Oslo to attend the Official Opening of the Gibraltar Information Bureau and took the opportunity, whilst there, to attend several meetings relating to tourism and shiprepair.

The Minister for Education, Youth and Culture went to London to hold discussions on the arrangements for providing Open University Courses from Gibraltar. He also visited Portugal as chairman of Gun Wharf, to look at provisions of new facilities in line with proposals for new developments at Gun Wharf.

The Minister for Health and Sport went to Portugal at the invitation of the GFA and accompanied the Grammarians Hockey Club, also at their invitation, to Sardinia to attend the qualifying round of the European Hockey Cup for Club Champions.

In her capacity as Mayor she was one of the three Mayors visiting the City of London as a guest of the Corporation of London on the occasion of a major gathering of tall ships prior to the race from London to Hamburg. The occasion was part of the Corporation of London's celebrations of the 800th Anniversary of the mayoralty.

The total cost of all these trips in respect of myself, my Ministers and where appropriate Officials amounts to £17,755 in respect of both fares and accommodation plus subsistence.

Supplementary to Question No. 159 of 1989

HON LT-COL E M BRITTO:

Mr Speaker, no questions except to ask the Chief Minister when and where will he and his Ministers go for a holiday this year?

HON CHIEF MINISTER:

Mr Speaker, I hope that the Hon Member is not suggesting that this implies, after all the information that I have given him, that we have been on holiday in the last six months.

THE HON M K FEATHERSTONE

When did the Committee appointed under the Gibraltarian Status Ordinance last meet and when will it meet again?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the former Gibraltarian Status Advisory Committee last met in March 1987 and its term of office expired on 1 August 1987.

No action was taken by the previous administration to re-constitute the committee and its future is under consideration by the Government.

Supplementary to Question No. 158 of 1989

HON M K FEATHERSTONE:

Mr Speaker, will the Hon Chief Minister appreciate that there are a number of people who have considerable anxiety that the committee should be reconstituted and should meet to deal with those cases as soon as possible?

HON CHIEF MINISTER:

Mr Speaker, I do not know whether the Hon Member opposite is saying that the anxiety increased after we were elected or whether the anxiety existed when he was in Government and did nothing to reconstitute the Committee. The information that I have, Mr Speaker, is that the Committee, in fact, was required to look at the question of Residence Permits under Section 28 of the Immigration Control Ordinance and that there is still the matter of the conflict of the applicability of this Section with the question of Section 3 of the Ordinance as regards Community Nationals. The Committee itself felt, before it expired, that until this conflict was resolved it should not meet to consider cases. This conflict has as yet not been resolved.

HON M K FEATHERSTONE:

Mr Speaker, irrespective of that will the Chief Minister give urgent consideration to the reconstitution of the Committee?

HON CHIEF MINISTER:

No Mr Speaker, because I am not satisfied that there is this urgency now which clearly was not there before. There was no urgency apparently in 1987 and no new evidence has been brought to me to show that there is now an urgent need for Gibraltarian Status per se. I know that there is a backlog on questions on nationality and residence and that is something, as the Hon Member must know, that has been toing and froing between the United Kingdom Government and the Gibraltar Government for quite some time. It was a very clear cut thing before but then things changed, firstly by the British Nationality Act of 1981 which revoked the automatic grant of Nationality of spouses, for example, and secondly it was changed by the way the law applies to Community Nationals as opposed to Non-Community Nationals. I can also tell the Hon Member that there is now a draft, EEC Directive doing the rounds, on which the Government I am glad to say has been asked to express its views before it is passed, to my knowledge it is the first time that this has happened, and which would raise, in our judgement, impossible burdens for Gibraltar. Because it extends rights to everything in Gibraltar from Council Housing to Vocational Training to unlimited generations of people who acquire the right of permanent residence in Gibraltar. Mr Speaker, I am not prepared to give a guarantee that this is going to be resolved quickly because it is a very complicated thing. It is no use re-constituting the Committee, if the Committee is not clear how to deal with the problems when they start surfacing. We first need to get the law clear and we are not in a position to do that yet.

THE HON P C MONTEGRIFFO

Will Government agree to amend the Gibraltarian Status Ordinance to confer equality to women on the right to Gibraltarian status?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the Government supports the principle of equality for women. This proposal was put forward by me a few years ago to the then Chief Minister, Sir Joshua Hassan. At the time I was told that there were insurmountable technical difficulties which made the change proposed impossible to implement. I accepted this explanation assuming I was being told the truth. Therefore the matter was not pursued when my Government took office.

In the light of this question I have however asked that the possibility be investigated in case I was misled by the former Chief Minister.

Supplementary to Question No. 159 of 1989

HON P C MONTEGRIFFO:

Mr Speaker, I will not dwell on what exchanges the present Chief Minister had with a former Chief Minister. Is there any sort of timescale that the Chief Minister has in mind? I ask this because the matter is linked to a timescale of a particular event for which ^{the} Gibraltarian Status Ordinance is important. It would be helpful if there could be some indication of the timescale involved? Basically the Miss Gibraltar Contest.

HON CHIEF MINISTER:

Let me say, Mr Speaker, that I have asked for the matter to be looked at, because of his question, and I do not know how long it will be before I get an answer. If the answer that I get confirms the explanations that I was given and which I am prepared to give the Hon Member on the same basis as it was given to me, which is that it should not be made public, when I asked the question some years ago. I am having that answer checked for accuracy, I can either give him the answer that I had before it is checked or I can come back to him after it is checked and I can tell him either that the answer that I was given does not hold water and we can move or that the answer that I was given has now been confirmed, again, and we cannot move for the same reasons.

HON P C MONTEGRIFFO:

I am grateful, Mr Speaker, and I will speak to the Chief Minister later on.

THE HON P C MONTEGRIFFO

Will Government amend the law to give men and women equal rights to jury service so as to improve the administration of justice?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the present law gives women more rights than men as regards jury service since the former may choose to serve or not whereas it is compulsory for men. To give equal rights, which I understand would be welcomed by men, implies that compulsory male jury service would be replaced by voluntary service. I am advised that this would make it very difficult to maintain a system of jury service and it might require a different form of administration of justice. The Government is not convinced that to do away with the jury system would improve the administration of justice but it is prepared to consider any evidence the Member opposite can provide in support of this view.

Supplementary to Question No. 160 of 1989

HON A J CANEPA:

Mr Speaker, on a serious note. Does the Chief Minister consider that it is good for parliamentary democracy that he should deal with questions in such a flippant way?

HON CHIEF MINISTER:

Mr Speaker, whether I am dealing with it in a flippant way or not is a matter of judgement, and I can tell the Hon Member that I do not think that it is conducive to the standing of this House, in the eyes of the people of Gibraltar, that we should get flippant questions. I can also tell him, Mr Speaker, that we consider a very high proportion of the questions that they put to be flippant, but again it all depends on which side of the House one is sitting, or standing, whether it appears to be flippant or not. However, as far as I am concerned I do not think that there is anything in the answer that I have just given that does not address itself to the question that I was asked.

HON A J CANEPA:

Mr Speaker, does the Chief Minister consider that this is a flippant question or is it a case ^{that} he has chosen to interpret it in such a flippant manner? I would have thought that the question is perfectly clear but he has chosen, Mr Speaker to twist it round completely in order to make it flippant.

HON CHIEF MINISTER:

Mr Speaker, what is the question the Hon Member is asking me? Whether I have chosen to twist it? Or whether in fact in the Queen's English, as I was taught by the Christian Brothers and which is the same one who taught him, to give equal rights to men and women where women have got more rights than men, must mean bringing men into line with women. Not taking away rights from women!

HON A J CANEPA:

Mr Speaker, is the Hon the Chief Minister not aware that women generally will not agree with him in that interpretation? They do not consider themselves equal, in fact they consider that they are being deprived of a right?

HON CHIEF MINISTER:

Mr Speaker, women have the same rights now as they had before the 24 March, 1988. Now if the Hon Member considers that women were so badly discriminated why did he not during his sixteen years in office do something about it? Or is it that all of a sudden we have a mass movement of women all wishing to do compulsory jury service? And all are making representations to him? It must be because he has so much time in his hands that he can afford to go up and down Main Street. I do not know.

HON A J CANEPA:

Mr Speaker, has the Hon the Chief Minister forgotten that a Bill was brought to this House on the question of women and jury service and in which there was a full vote? Obviously he has forgotten.

HON CHIEF MINISTER:

Mr Speaker, I believe that Hon Member voted against it on that occasion.

HON P C MONTEGRIFFO:

Mr Speaker, this question is quite clear and is too important to be treated in a light hearted fashion. The question asks "will the Government change the law so that equality of rights exists between men and women"? Mr Speaker, how you define equality is a matter entirely up to the legislature in the proper exercise of its functions to make sure that justice is administered. As the Chief Minister well knows, Mr Speaker, in the United Kingdom there is equality but it does not mean that nobody has to do Jury Service. What I am asking Mr Speaker, is "does the Government accept that the Rules of law administration are archaic and therefore should be amended to place men and women in equal footing"?

HON J C PEREZ:

Mr Speaker, making something compulsory in this case means depriving people of the right that they have to refuse and therefore if we are talking about extending rights we are talking about extending that right that the women have to refuse to the man. That is what they are talking about because I cannot understand how they can feel that extending a right is making something compulsory to a lot of women who might not wish to do Jury Service.

HON P C MONTEGRIFFO:

Mr Speaker, do the Hon Members opposite not understand that equality, which is what I am talking about, does not mean coming down to the lowest denominator, in this case women. Mr Speaker, plainly every sensible Hon Member opposite knows that the answers which I am being given are not just flippant but an insult to non-discriminatory legislation and which the Constitution of Gibraltar should provide for. Is the Government saying that women should not have the same obligations and rights that go hand in hand and that there should not be an equating of the obligations with regard to Jury Service and if so will it amend the law to provide for this?

HON CHIEF MINISTER:

Mr Speaker, Government is saying that the present law gives women more rights than men and if it is discriminatory it is against men and presumably it is the men that can claim that they do not have the right to serve or not serve as women have. To my knowledge the ones that are complaining are the men. I however do not know whether the people who vote for the AACR or go to see the AACR are all the women who wish to do Jury Service. My information is that men are reluctant to serve and that if they were given the choice to refuse they would do so. In fact if giving women the right to refuse and not giving it to men is against the Constitution then all I can say Mr Speaker, is that it is against the Constitution since you were Chief Minister in 1969 and the AACR since 1972 because we are still dealing with the same Constitution. We are, however, advised that the present law is not unconstitutional but if the Hon Member is saying that the present law is unconstitutional then I will, again, ask whether this is the case and if it is unconstitutional we will make it constitutional.

HON P C MONTEGRIFFO:

Finally, Mr Speaker, does the Government not accept that the administration of justice would be better served by having more women on the Jury, by equating the position of men and women and making it compulsory, with certain safeguards, for women? Or is it satisfied that the best system of Jury Service for Gibraltar is that currently in force?

HON CHIEF MINISTER:

Mr Speaker, I am not qualified to judge whether in fact the administration of justice would be better carried out if there were more women juries because by implication that means that there is now maladministration of justice, that is to say

HON P C MONTEGRIFFO:

I would accept that, Mr Speaker. I will say that there is bad administration of justice in a system that you are only tried by men and not women because it is a mockery of the system of jury, whereby you are tried by your peers. I hope that the Chief Minister can but accept that proposition.

HON CHIEF MINISTER:

I do not know, Mr Speaker, whether in fact it is true that the fact that there are more men than women on the jury means that the jury is taking unfair decisions in judging people, in deciding whether people are guilty or not guilty. and that if there were more women we would either get more people guilty or less people guilty. Which is it that the Hon Member thinks will result? Or whether he thinks that women are going to be fairer to other women or unfair? I do not know what he thinks will happen or what evidence he has to suggest that justice is being administered unfairly. All I can tell him, if this is such an important issue, and we are being flippant as suggested by the Hon Leader of the Opposition, why did they not do something about it when they had an opportunity and why they did not say in their manifesto that they were going to do it. They did not say that, if they had got elected in 1988, they would remove this form of injustice and force women to serve on juries. As we understand it, Mr Speaker, women do not want to serve on juries and as we understand it men would like to have the right to refuse. That is our understanding of the situation, Mr Speaker. My answer, therefore, reflects on my understanding of the situation. From the Government's point of view, as I have made it clear in another context, we believe that it is not for the Government to interfere with the administration of justice and therefore whether the jury is all male or all female or all black or all yellow, they are supposed to be looking at the evidence in front of them in deciding whether the weight of evidence is for or against the defendant. That is my understanding of the situation but I am not a lawyer, Mr Speaker. The Hon Member opposite is and therefore, presumably, he is talking not as a politician but from professional experience, that there is something wrong with the system of justice that we have at the moment. If he has evidence, as I have said in my original answer, to support the view that there is something wrong with the system, we are prepared to look at it. It is up to him to produce the evidence. He is making the claim.

HON P C MONTEGRIFFO:

Mr Speaker, is the Chief Minister therefore saying that he requires evidence before accepting, in principle, the principle of equality between men and women when it comes to legislation? Mr Speaker, I would also be interested to hear the views of the Lady Minister to see whether she confirms the attitude of the Hon the Chief Minister in this matter?

HON CHIEF MINISTER:

Mr Speaker, the Hon Member has brought a question to this House. The Standing Orders of this House are clear in what the Hon Member is entitled to ask or not ask. He is not entitled to find out what the view of the Minister for Medical Services is on sex discrimination. This is about changing the law of Jury Service and as far as I am concerned the law, at the moment, means that there is discrimination against men and in favour of women. Because the men that serve on juries tell me that they would like to be treated the same as women. And the women that do not serve on juries tell me that they would not like to be treated like the men. So unless the Hon Member thinks that on top of being the spokesman for open Government, accounting etc., he is now also the spokesmen for discriminated women in Gibraltar, which he can add to his long list of vote catching slogans, then fine let him bring me the evidence that demonstrates to the Government that the system of justice in Gibraltar is suffering from the way that it has been operating since March, 1988 under our Government, and since July, 1972 under the AACR, which the AACR clearly did not feel they needed to do anything about, because as the Leader of the Opposition said the matter was discussed here, there was an open vote and members of the AACR were not unanimous of the view that the Hon Member has suggested because they voted against. The position therefore is we have no evidence that there is a serious flaw in the administration of justice. We have looked at the matter and said "if we are going to change the law to remove the unequal treatment of men and women" how can we treat them both the same and we can treat them both the same by doing one of two things. Firstly making it compulsory for women, which the women do not want or secondly we can make them both the same by making it voluntary for men, which the men want. Is it feasible to remove the discrimination by making it voluntary for men? Or is the Hon Member saying that if we make it voluntary for men we would not remove the discrimination? Is he saying that he is against men being voluntary the same as women, on what grounds? If his concern is that there should be identical treatment of men and women by making it voluntary for men then we have to say if we make it voluntary will anyone volunteer?

And the information that I have is that if you make it voluntary nobody volunteers or hardly anyone volunteers. And you could well have an even worse administration of justice because you could well have only persons with the sadistic pleasure of condemning people and finding them guilty. So you would then have a psychological imbalance in juries. I do not know whether this demonstrates to Hon Members opposite that we have considered the matter seriously at an intellectual and philosophical level and that we are not being flippant at all. We have given the matter a lot of thought, amongst all the other pressing commitments that the Government has, to the Hon Members concern to make sure that there is an improvement in justice in Gibraltar under the GSLP. I know, Mr Speaker, that he wants us to improve Gibraltar in all respects even in the administration of justice. I am grateful for his concern for the welfare of my administration, let him bring the evidence forward, Mr Speaker, and we will give him a fair hearing.

HON P C MONTEGRIFFO:

Mr Speaker, I know that the Chief Minister thinks that I am often scandalised but I am flabbergasted that a Chief Minister, in 1989, committed to equality of rights and to democracy to seriously argue in this Chamber that the law does not require amendment to put men and women on an equal footing to create a better system of justice. Mr Speaker, can the law not be changed to what it is in the United Kingdom?

MR SPEAKER:

I really have to stop you at this stage because this is really developing into a debate.

HON CHIEF MINISTER:

Mr Speaker, is there a question that the Hon Member requires an answer to? Because Mr Speaker, one thing that we may have to consider, instead of doing something about men and women and jury service, is providing the Hon Member with a hearing aid. I have told him the same thing ten times and he comes up and asks me the same question again. If he has evidence to show that there is bad administration of justice and that it would be improved by giving men and women equal rights, which is the right to refuse, to be on the jury, we will look at it.

HON A J CANEPA:

Mr Speaker, how can the Hon the Chief Minister think that we would be suggesting that the law should be amended in order to allow men to opt out of jury service, in order to put men on a voluntary footing, when that really would not be conducive to the better administration of justice.

If we cannot have a jury system because men do not volunteer, then that would not improve the administration of justice. The question says that, Mr Speaker. That is my quarrel with him that he did not read and get the thrust of the question. We want to improve the administration of justice. What he said could be done, in his original answer, and put men on a voluntary footing would not achieve that, Mr Speaker. Does he not realise that?

HON CHIEF MINISTER:

Mr Speaker, as far as I am concerned I was not aware that questions are in fact suggestions from Members opposite as to what we should be doing. I thought questions were to find out what Government's policy was, not to tell us what the Government's policy should be. So I did not think, Mr Speaker, that the question was a suggestion.

HON A J CANEPA:

Mr Speaker, has the Hon the Chief Minister during the sixteen years that he was in opposition asked a question suggesting something to the then Government? Because I can do some research and bring him numerous examples?

HON CHIEF MINISTER:

Mr Speaker, if the Hon Member looks back he will find that there is no record of my having raised the Gibraltarian Status Ordinance in the House. I raised it direct with the Hon Chief Minister or as I did quite frequently, as the Leader of the Opposition will be able to corroborate, when I wanted to make suggestions was to write to the Minister and say I have been informed of this problem is there something that you can do about it? When I asked a question here it was because I thought it needed an explanation, in public, and this is what presumably the Member opposite wanted on this matter. This is a matter which did not appear in our Manifesto, or on their's, so I cannot be expected to read the minds of the Members opposite and I answered the question as it affected the law and the letter of the question. What is asked gives us, as I understand it, the option of either making it compulsory for women, who do not want it, or making it voluntary for men, who do want it. I assume that unless we get a political mandate to do something that nobody wants, they would not be expecting me to do it. The position is, Mr Speaker that we are prepared to consider making it voluntary for men if it can be shown that that would produce an improvement.

MR SPEAKER:

That is the end of this matter. Next question.

THE HON A J CANEPA

What is the nature of the legal advice received from the FCO about the incident involving a Spanish patrol boat and the GSL "refuse" barge?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the advice received from the Foreign and Commonwealth Office is that the legal interpretation given by the Gibraltar Government and which was explained in my answer to Question No. 118 of 1989, is correct.

Supplementary to Question No. 161 of 1989

HON A J CANEPA:

Mr Speaker, what does the Government propose to do in the light of that advice?

HON CHIEF MINISTER:

Mr Speaker, that advice does not require the Government to do anything.

HON A J CANEPA:

Mr Speaker, is any further use to be made of the barge?

HON CHIEF MINISTER:

The barge is only there, Mr Speaker, to be used when we feel it is necessary because the Incinerator is not working. Now we know that contrary to what the Hon Mr Anthony suggested here in the House, the use of the barge has nothing to do with MARPOL. We had explained to the Hon Member opposite that we had used the barge on the premise that it had nothing to do with MARPOL. The Foreign and Commonwealth Office when the Spaniards questioned that and said that it was in conflict with MARPOL, said they would need to re-study their original advice, Mr Speaker, and the advice that we have received now is the advice that we were given the last time round. And we acted the last time on the basis of that advice. It was only when the Spaniards claimed that we were breaking the MARPOL Convention and the boat came out from Tarifa and told the personnel in the barge that this was the case, that we went back to the Foreign and Commonwealth Office and said "look the Spaniards are saying

this can you confirm that we are right and they are wrong. And that until we were informed whether we were right or wrong the best thing to do, because we do not wish to break international law, is hold our horses until you come back to us". They have come back to us and they have told us that we are right. Now that we know we are right we also know that the attempts by the Spaniards to invoke this is wrong and that we have been right all along.

HON A J CANEPA:

Mr Speaker, the Government's position is that if and when a need arises to make use of the refuse barge they will resume dumping operations.

HON CHIEF MINISTER:

Well, Mr Speaker, the Government will look at that situation when and if the situation arises. I am not going to tell the Spaniards now what I am going to be doing the next time I need to do it. When the time comes we will do what we need to do. But we know that we are legally correct in what we have been doing. Which is what the Hon Member wanted to know.

THE HON A J CANEPA

At what stage in receiving advice or taking proceedings is the Government in its declared legal challenge of Gibraltar's exclusion from the amendments to the 1983 Inter-Regional Airports Agreement?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the EEC Amendment to the 1983 Directive increasing the size of aircraft that can operate inter-regional flights was approved on June 5th.

On June 7th I wrote to HE Governor informing him that the Gibraltar Government rejected the exclusion of the Gibraltar Airport from the amending Directive and proposed to challenge this decision.

As the Member opposite knows and as stated in my interview with GBC on June 8th, we propose to mount a challenge as a Government within the time limit of 3 months which the AACR Government could and, in our view, should have done between December and March 1988 when the original exclusion from the EEC Directive was brought in.

This view we have formed on the advice given by Mr Ian Forrester to the AACR administration, we have not asked Mr Forrester to advise again on the same issue.

It will be recalled that Mr Forrester's view was that the Government could bring any action under Article 173 in Luxembourg. He recommended against doing this mainly on political grounds because of the possible hostile reaction of the United Kingdom and Spanish Governments.

The AACR acting on this advice which was confirmed by the Administrative Secretary and the Attorney General at the time decided not to proceed as a Government but instead to seek the involvement of some other party for action in the Gibraltar Courts under Article 177.

The Gibraltar Government will support fully any such action against the original Air Liberalisation exclusion since there is no time limit for any party to do this under Article 177.

However the original advice was not to act simultaneously under Article 173 and Article 177 if action under the first Article was to be started. I think it was argued then that action under 173 would be considered to be stronger action and that we would weaken the argument for the stronger action if we simultaneously proceeded under 177 which is considered to be weaker action and presumably that is why there is no time limit.

On June 22nd, I raised the matter directly with Mrs Lynda Chalker in London explaining the position of the Gibraltar Government. I pointed out that this was not a hostile act by us against the United Kingdom, Spain or anyone else but a fundamental step in establishing exactly what our rights are in the EEC, and that we therefore intended to seek a ruling on this matter from the Court in Luxembourg.

Though the matter is not seen in the same light by HMG, I am satisfied that our position is understood accurately.

Following my return from the United Kingdom, the preparation of the technical steps for the presentation of our case in Luxembourg has been initiated.

For obvious reasons it is not in our interests to divulge, beforehand, the steps that are being followed or the nature of the arguments that are to be used in support of our case.

Supplementary to Question 162 of 1989

HON A J CANEPA:

Mr Speaker, when the Chief Minister says it is not seen in the same light as the United Kingdom, I take it that Mrs Chalker did not agree with him in respect of what the Government was wanting to do, in other words the Foreign and Commonwealth Office do not support this course of action of taking up the matter under Article 173 to the Court in Luxembourg?

HON CHIEF MINISTER:

Mr Speaker, I would have thought that it was self evident that the Foreign and Commonwealth Office is not going to support that I should take them to Court. Otherwise all that they had to do is not to have signed the Agreement in the first place. They think that the Agreement that they signed is the best they could obtain for Gibraltar in the light of their commitments under the Brussels Agreement and in the light of their commitments under the Anglo-Spanish Joint Use Agreement and that consequently the agreement that they made in Brussels in 1984, which is to discuss mutual use of air communications and the joint use of the Airport which we have not implemented, and have no intention of implementing, means, as far as they are concerned, that all that they can argue with Spain is that all that we

already had prior to the Brussels Agreement of 1984, the 77 Seater Aircraft that we had in 1983 for example, Spain de facto accepted. Therefore Spain has no right to expect us to give up the things that we enjoyed prior to their entry into the Community and prior to their agreement with the United Kingdom in Brussels.

HON A J CANEPA:

Mr Speaker, could the Hon Chief Minister clarify whether the legal proceedings are in fact being taken against the United Kingdom, against Spain, against the United Kingdom and Spain or against the EEC? Can he make it abundantly clear?

HON CHIEF MINISTER:

No Mr Speaker. I cannot make it abundantly clear because then I would not need someone doing the job for me. I would be able to do it myself. I am acting on the advice which we received, when he was Chief Minister, and that advice does not say who is being taken to Court or who could have been taken to Court in March, 1988 when the Air Liberalisation Package left us out in October 1987. What it says is that legality of that decision is questionable.

HON A J CANEPA:

Mr Speaker, does the Hon the Chief Minister not accept that it is in fact the EEC that is excluding Gibraltar as a result of an agreement reached by two of its Member States? Britain and Spain reached an agreement outside the EEC to a certain course of action, that results in the EEC taking a certain stand point, with regard to Gibraltar, namely excluding Gibraltar in the knowledge that both Britain and Spain agree to that. And therefore it is against the EEC that legal proceedings are to be taken.

HON CHIEF MINISTER:

Mr Speaker, I do not accept what the Hon Member is saying is correct because I am not in a position to either accept it or reject it. It seems to me that his line of argument is leading us into a situation where we cannot take legal action. Because if what he is saying is accurate that would be the defence that is going to be facing us when we get to Luxembourg. I am certainly not going to fight a case here with him. We are both supposed to be on the same side on this, Mr Speaker. Let Luxembourg argue that.

THE HON P C MONTEGRIFFO

Will the Chief Minister explain his present policy of practical cooperation with Spain in the light of his recent comments that Spain cannot be trusted to deliver on anything?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the policy of practical co-operation of the Government today is the same policy on which it was elected on 25th March 1988. No doubt the Honourable Member opposite will remember that during last year's election he was the one who was most actively trying to persuade the electorate that the Brussels Agreement should be supported and that failure to do so would mean retaliation from Spain.

The GSLP on the other hand drew a clear distinction between practical co-operation, in order to benefit from economic interchange, and negotiations at a political level which requires, as the Brussels Agreement does, acceptance of a level of good faith on the part of Spain for which there is no evidence.

The latest incident involving assurances given by Spanish Authorities to the Gibraltar Courts is one more example in a long series of failure of the political institutions to deliver on anything.

It is to be hoped that Members opposite now realize the historic mistake that was made by the AACR Government in 1976 when it took the initiative to hold talks with the Spanish Government and launch the Strasbourg process which involved accepting that Spain would deliver its promise of good will. I will remind the Member opposite that this lead to the Lisbon Agreement, also accepted by the AACR and broken by Spain, and the Brussels Agreement which lead to the promise to allow maritime communications, the promise to eliminate frontier delays and the Airport deal, in the negotiation of which the AACR Government participated.

As the Honourable Member can appreciate the scepticism of my Government dates back a very long time and is not the result of recent events. It has therefore no bearing on the programme of practical co-operation which is aimed at improving economic co-operation where this is to the benefit of Gibraltar and as long as there are no political strings attached.

Supplementary to Question No. 163 of 1989

HON P C MONTEGRIFFO:

Mr Speaker, if the Chief Minister considers that his alternative policy of co-operation has been a success, can he give me concrete examples of types of co-operation, in the economic field, and which the Government is currently embarked upon?

HON CHIEF MINISTER:

Well, Mr Speaker, in terms of how long the policy has to go before it is judged a success, I would say, Mr Speaker, that the policy that we have been pursuing of distancing ourselves from political negotiations involving Gibraltar's future and encouraging investment into Spain and vice versa, this has been going on for fourteen months. The AACR policy went from 1976 to 1988 and all that it produced was broken promises which have never been delivered and I would have thought that it had been demonstrated that however good our alternatives are it is definitely better than what was going on before. Of that, Mr Speaker, there is no question. That has been proved beyond doubt.

HON P M MONTEGRIFFO:

Mr Speaker, the Hon Chief Minister does not appear to understand, I have asked him for concrete examples of what practical co-operation his Government is embarked upon in the last fifteen months?

HON CHIEF MINISTER:

And I have already given him the answer, Mr Speaker. I am saying to him that the programme of practical co-operation is an alternative to a programme carried out by the AACR administration of co-operation at a political level which lasted from 1976 to 1988 and in order to judge the success of our policy you cannot judge sixteen months against 16 years. We have had one month of our policy for every year of AACR policy. However what is clear, Mr Speaker is that however inefficient the alternative that we are pursuing may be at producing concrete results, which is what the Hon Member opposite is looking for, it cannot be worse than the one that we have discarded. Because the one that we have discarded has produced a long series of things which were not implemented. I have listed some, Mr Speaker, but there is no reason I should have because the Hon Member knows that I am telling the truth. So he knows that the programme that was being implemented before we came in and from which we pulled Gibraltar out of the Brussels process was getting Gibraltar nowhere. As an alternative to that, but it is not something that we need

as a fundamental piece of our programme it is something that is worth having, because as far as we are concerned it is better to be on good terms with our neighbours than to be at war with our neighbour. But our neighbour has to understand that we are not prepared to buy peace. And because we are not prepared to buy peace, what we say is if there is an opportunity of encouraging investment then, as the Hon Member has already been told in answer to another question, if the Danes having been introduced by us to the possibility of opening a building components factory, then it will be a good thing. It is not a good thing from his point of view because the Hon Member has publically told us that we should stop the Danes from doing it and has brought a Motion to this House saying we should not be doing it. So he is opposed to the practical co-operation that we are trying to encourage. So he should not be concerned that I cannot tell him that it is producing concrete results because that should make him a very happy man. It is what he wants, Mr Speaker. The position of the Government is that the recent incident, which I imagine is what the question is all about and I do not know whether the Leader of the Opposition will agree with me that this time I am reading the question right or not? But again limiting myself to my poor English, Mr Speaker, I read the question as asking us whether the latest incident has caused us to give up our policy, that seems to me what the Hon Member is asking me. Because he is asking me to explain how the policy has changed in the light of my recent comment and which have to do with the incident involving the Spanish Customs and their non-appearance in the Courts. I have answered the question on the assumption that he wanted to know whether the policy of practical co-operation was now going to be given up because of the incident, the answer is no, one thing has nothing to do with the other.

HON P C MONTEGRIFFO:

Mr Speaker, we are not talking about our policy of co-operation, Mr Speaker, we are not the Government. We are talking about your policies of practical co-operation your alternative policy and what I am saying is that there is no practical policy and I am challenging the Hon the Chief Minister sixteen months after a general election to tell the people of Gibraltar what concrete examples there are. If we do not have a building components factory, we do not have a bicycle factory, we do not have a ball-point factory, can the Hon the Chief Minister tell us what and how are you co-operating with Spain? Or is there none?

HON CHIEF MINISTER:

Mr Speaker, it is a total waste of time to take the Hon Member opposite seriously. If I told the Hon Member tomorrow that there was going to be a Dane, arriving on a bicycle with a pocketful of ball-point pens and a building component strapped to his back he would ask me why the tyre

was punctured. It is quite obvious that nothing we are going to do will satisfy him because he wants to get elected into Government. The Hon Member says we have failed to complete the houses at USOC, never mind that they did not build any houses in their last few years in Government. We have failed to produce ball-point pens, we have rats in our hospitals, anybody would think, Mr Speaker, that the Member thinks that by making speeches in this House, when he should be asking questions, he is going to fool the whole of the electorate into thinking that the massive damage done to Gibraltar by the AACR in sixteen years would suddenly disappear if they got re-elected. We would be back where we were before. Our programme of practical co-operation makes sense, Mr Speaker. It makes sense to the business community here and it makes sense to a whole lot of other people. Notwithstanding that we are very clear on fundamentals, it is a good thing to show that we are not afraid to work with Spanish business men when it can be demonstrated to be in Gibraltar's long-term interest to do so. We are not afraid of doing that, Mr Speaker. It is a good thing for Gibraltar and it is a good thing for relations with Spain. If it does not produce any practical results it is still a good thing to attempt it. So that in itself is a benefit. It is a benefit to have such a policy and it is a policy that the AACR for many years was arguing that the Brussels process was about practical co-operation and not about anything else. The only problem is that the two parties that signed the Agreement did not agree with the AACR. The AACR said it was about practical co-operation the British and Spanish Government said, in writing, that it was about implementing the United Nations Resolution on the decolonisation of Gibraltar that is what they signed.

HON P C MONTEGRIFFO:

Mr Speaker.....

MR SPEAKER:

I am sorry, if the question is going to be the same one the Hon Member has asked about five times already I am afraid that I am not going to allow the question. I say this because it is very clear that you are not going to get anything more.

HON P C MONTEGRIFFO:

I can see that, Mr Speaker. I however have one other important question which is "is it the Chief Minister's view therefore that we have at present friendly workable relations with Spain"?

HON CHIEF MINISTER:

Well Mr Speaker I do not know who is "we"?

HON P C MONTEGRIFFO:

The people of Gibraltar, Mr Speaker.

HON CHIEF MINISTER:

Well I would imagine that the people who went across to the fair might be in a better position to answer than I because I was not there to judge how friendly the atmosphere was in La linea. But I do not think that the people of Gibraltar relate to Spain, I think, the people of Gibraltar at an individual level relate to the people that live in the Campo Area and I imagine^{and} that the situation there is now as it was a few months ago^{is} likely to be in the future. However the relationship between the United Kingdom and the Kingdom of Spain has been undoubtedly damaged by the incident that took place and where the laws of Gibraltar were broken. The position of the Government of Gibraltar is that all

HON P C MONTEGRIFFO:

Mr Speaker, I do not want an answer if the Hon Chief Minister is not going to answer the question because it is not worth listening to.

HON CHIEF MINISTER:

Mr Speaker, if the Hon Member does not want an answer he should stop asking questions. That is his choice and he sits down until I have finished. The position of the people of Gibraltar, which is the question that he has asked me, are as friendly or as unfriendly, at an individual level, with the individual people of Spain as they have always been. I am not aware that one can define the relationship between Spain, as a State, and the people of Gibraltar, as a people. You can only define it as between Governments. And as between Governments, which is where I was getting to when the Hon Member interrupted me, or tried to, there is no doubt that the position that developed in Gibraltar with the illegal incursion on our beach and the decision of the Attorney-General to pursue the matter as laid down in our laws and the decision of the Courts to issue arrest warrants when the individuals did not make an appearance has undoubtedly affected Anglo/Spanish relations. And although it is regrettable that it should, the position of the Government of Gibraltar, and I would hope the position of this House, is that the law is the law. The law must be respected and if a price of a deterioration in relations has to be paid in order to uphold the law then since we are parliamentarians and we believe in the rule of law it is a price we are willing to pay.

THE HON P C MONTEGRIFFO

What alternative plans for the use of Gibraltar airport have been put by the Government to Britain and what details have been disclosed to Spain?

ANSWER

THE HON THE MINISTER FOR GSL AND TOURISM

None, Sir.

SUPPLEMENTARY TO QUESTION NO. 164 OF 1989

HON P C MONTEGRIFFO:

Mr Speaker, the Hon Member when criticised for having made alleged disclosures to the Spanish press about proposals on this matter that had been put to Britain, and about which the Spanish Government apparently had notice of, stated that he did not know what the fuss was about because everything said there had apparently been said before. Is there no truth at all of any alternative plans which have been put to Britain of which Spain has apparently been informed of?

HON J E PILCHER:

Mr Speaker, I am answering Question No. 164 of 1989 and although I can understand a Spanish newspaper being slightly confused by the issue I cannot understand the Hon Mr Montegriffo, who prides himself of knowing everything that goes on in Gibraltar, being confused. The question he has asked is "What alternative plans for the use of Gibraltar airport?" As the Hon Member opposite knows the alternative which is being looked by the Government of Gibraltar is an alternative for the existing airport not an alternative use for the present airport which is what conceptually was discussed with Sir Geoffrey Howe when he came to Gibraltar and which was in fact made public shortly after, and to which the Hon the Chief Minister has alluded in answer to a previous question.

HON P C MONTEGRIFFO:

Mr Speaker, to what extent has Spain been made aware of these proposals and on whose authority have such disclosures to Spain taken place?

HON J E PILCHER:

Mr Speaker, as far as we are aware details of these proposals cannot be made aware to anyone because the Gibraltar Government itself does not have these details. The new Terminal, the new Airport was a conceptual alternative, there are no details because those details are being looked at by private enterprise, as I am sure he is aware, there are various firms looking at this.

HON P C MONTEGRIFFO:

Then, Mr Speaker, there is again no truth in the report that Spain was on notice of certain proposals?

HON CHIEF MINISTER:

Mr Speaker, if the Hon Member remembers during the visit of Sir Geoffrey Howe on the 1st February we made him aware of the fact that we were looking not at the joint use of the existing airfield but at the creation of a new airfield. As a totally new initiative unrelated to what was there and deadlocked. We made Sir Geoffrey aware of this with the permission of the people who had financed the proposals made to us, because it is not our property, we made copies of this aware to Sir Geoffrey and what I said to him was that we had no objection if when he met Senor Ordonez, this was last February, he told him that this was what the Government of Gibraltar was looking at. Not that he should take the proposals made by the French Company, to the Gibraltar Government and propose that to Senor Ordonez, but that he should make Senor Ordonez aware, when Senor Ordonez raised the question of the airport, and he did, that the Government of Gibraltar was looking at it from a totally new line. Not of whether we implement or we do not implement what they had agreed. We are thinking of an entirely new concept for the kind of expansion that we want for our economy. That is the extent to which, as far as I know, Spain is aware from the British Government of the thinking of the Gibraltar Government. But we have not made specific proposals to the British Government and the British Government has not made specific proposals to Spain.

HON P C MONTEGRIFFO:

I am grateful for that answer, Mr Speaker. Has there been any comeback from Spain on the sketch proposals that the Government has asked Britain at least to inform Spain of?

HON CHIEF MINISTER:

No, Mr Speaker. The position of the Spanish Government appears to continue to be that they have an agreement with Britain and that it is up to Britain to ensure that its colony complies with the Agreement that exists, which is what they have said publicly in fact, they have not said anything privately, to my knowledge, that they have not said publicly.