

**GIBRALTAR**

**HOUSE OF ASSEMBLY**



**QUESTIONS AND ANSWERS**

18TH JANUARY, 1990

NO. 1 TO NO. 45

18 JAN 1990

NO. 1 OF 1990

ORAL

THE HON G MASCARENHAS

With the benefit of hindsight, will the Minister for Education say whether more could have been done to avoid the failure of the planned Open University Course?

ANSWER

THE HON THE MINISTER FOR EDUCATION,  
CULTURE AND YOUTH AFFAIRS

No Sir.

SUPPLEMENTARY TO QUESTION NO.1 OF 1990

HON G MASCARENHAS:

Mr Speaker, will the Minister not agree with me that aside from the original Press Release and a couple of interviews that he did over GBC TV and Radio, perhaps more publicity could have been carried out?

HON J L MOSS:

No Sir.

HON LT-COL E M BRITTO:

Mr Speaker, what research was done into what the probable support for these courses would have been to justify the Minister's answer?

HON J L MOSS:

The research which had been available for some time in the Department about the possible number of people who might be interested in Open University courses in Gibraltar and the normal research which is done by the Open University in UK in comparable populations.

HON LT-COL E M BRITTO:

Who undertook the research locally, Mr Speaker?

HON J L MOSS:

The Department of Education, Mr Speaker.

HON LT-COL E M BRITTO:

Prior to the present Government coming into office, Mr Speaker?

HON J L MOSS:

There had been some research prior to the present Government coming into office by officials in the Department and this was updated and looked at again by myself.

HON LT-COL E M BRITTO:

In other words, Mr Speaker, what the Minister is saying is that he acted on his own initiative having carried out his own research and forming his own opinion. Is that what he is saying?

HON J L MOSS:

I am afraid that the Hon Member has completely misunderstood what I have said. What is he trying to ask now?

HON LT-COL E M BRITTO:

Mr Speaker, the Minister has said that there was information, that had been there for some time which he updated himself. Is the only additional research what he himself did?

HON J L MOSS:

No, Mr Speaker, I meant my Department. I was using the royal "I".

NO. 2 OF 1990

ORAL

THE HON G MASCARENHAS

Will Government be granting any assistance to students studying in the UK in respect of the poll tax charges which these students will incur?

ANSWERTHE HON THE MINISTER FOR EDUCATION,  
CULTURE AND YOUTH AFFAIRS

Mr Speaker, the poll tax legislation is not yet in force in the United Kingdom. Its effect on Gibraltarian students is, therefore, not yet known.

SUPPLEMENTARY TO QUESTION NO.2 OF 1990

HON G MASCARENHAS:

Mr Speaker, my information is otherwise and the poll tax charge will be from £60 to £80 per annum. That will come into force in April this year.

HON J L MOSS:

I would be very happy to see any information which the Hon Member may have. However as he has mentioned himself the law will not come into force until April and having been a member of this House for quite some time he must know that there is quite a slip twixt cup and lip between something being planned and something being implemented.

HON G MASCARENHAS:

What I am asking the Minister is if he will consider if a number of students are affected whether the Government will alleviate the situation for the students.

HON J L MOSS:

That Mr Speaker, is, at the moment, a somewhat hypothetical question but he can rest assured that the Government always takes into consideration what students expenditure might be in terms of assistance and in terms of grants.

HON LT-COL E M BRITTO:

Mr Speaker, I declare an interest in what I am going to say because I have two children studying on scholarship in the UK. Would the Minister not consider that the time to do something about it and to estimate the cost to the students is now and not after the Regulations have come into effect. Because if it is left beyond the current estimates and beyond the 1st of April, what in effect will happen is that students in the coming year starting on 1st April will suffer a drop in their grants.

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HON J L MOSS:

The answer to that question is "no Sir". I do not think that now is the right time.

HON A J CANEPA:

Perhaps I should also declare an interest, Mr Speaker, having a son studying in the UK. When does the Minister consider it to be the right time? After the students have had to fork out the amounts involved and then make representations to the Government when they come back to Gibraltar. Because this is something that is going to happen unless the Hon Minister has information to the contrary.

HON J L MOSS:

Mr Speaker, we are reverting back to my first or my second answer. I think I am talking to the Hon the Leader of the Opposition and not to Notradamous. At the moment the Poll Tax has not come into force yet. The Hon Member does not know how much students will have to pay, if they have to pay, and neither do I. Therefore we cannot proceed at this stage.

MR SPEAKER:

Next question.

NO. 3 OF 1990

ORAL

THE HON DR R G VALARINO

Can Government say whether they intend to carry out surveys at the land frontier aimed at identifying persons working in Gibraltar without work permits?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

No, Mr Speaker, the Government does not intend to carry out surveys at the land frontier to identify workers without work permits. As the House was told in answer to Question No.13 of 1988, the Government was considering different options on how best to ensure that the Employment Ordinance is complied with in an effective and efficient manner. To this end the Government has started by computerising the issue of social insurance cards where the relevant details of all employers and employees will be readily available. The computerised records will provide sufficient information to ensure the basis on which a tighter control can be exercised over the labour market and allow greater capability and potentiality leading to the detection of unauthorised employees.

SUPPLEMENTARY TO QUESTION NO.3 OF 1990

HON DR R G VALARINO:

Mr Speaker, is Government at this time not worried, since I asked about this matter last time, that there could be a large pool of illegal Spanish workers and which would be costing the Government money in lost PAYE, Social Insurance, etc and would the Government not think that such a survey would help them to identify areas where illegal labour could occur and thereby encourage both employers and employees to seek the appropriate work permits?

HON R MOR:

Mr Speaker, as I stated the last time when the Hon Member asked a similar question, the Government is concerned, and as I said at the time, the Government was looking at all the options which were available, and in the Government's consideration we needed first of all to make sure that we have all the details which are relevant to the labour market readily available. That, Mr Speaker, is the reason why we are starting off by computerising all the records in connection with the labour force. Another thing Mr Speaker, is that the Hon Member is assuming that all illegal labour is just coming in through the land frontier, but the situation is that other people could be arriving into Gibraltar by air or by sea and consequently the best way to proceed is making sure that we tighten the control on those presently working in Gibraltar and then find out ways in which we can control the situation.

HON DR R G VALARINO:

Mr Speaker, since I last asked my question in 1989 what time scale does the Minister have for having all these results which he has mentioned available?

HON R MOR:

Well, Mr Speaker, the Department is already working on this and it should be ready during the course of the year.

THE HON DR R G VALARINO

Has Government strengthened procedures in order to ensure that payment of pensions to beneficiaries residing outside Gibraltar cease at the death of the pensioner?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Yes, Mr Speaker. In June, 1988, barely 3 months after taking up office, I introduced the first change in procedures. Up to then, the procedure followed by the previous administration was that any pensioner residing outside Gibraltar who collected the pension through an agent, was only required to produce a life certificate when new pension books were issued, ie, once a year. The requirements since June, 1988, has been that in these cases life certificates have to be produced every 3 months and any in-between payments are affected on the production of a medical certificate issued by a social security doctor in the country of residence. In cases where pensions are not collected in Gibraltar, life certificates have to be produced before any payment is forwarded on to the beneficiary.

The Government has also computerised lists of beneficiaries which now eases the task of identifying all relevant details associated with pensioners. This includes the age, nationality, address and whether pensioners are collecting their pensions personally or through an agent. The Government will now be conducting a thorough investigation into all the cases where pensions are collected by agents over long periods in order to ensure the legitimacy of these cases.

I am most grateful, Mr Speaker, to the Hon Questioner for bringing several suspect cases to my notice where it was alleged payments were being made to pensioners who were not alive. All these cases have been investigated but so far no evidence has been established which would suggest that malpractices exist. However, as I have already stated, Mr Speaker, all cases of pensioners collecting through agents are to be thoroughly investigated.

SUPPLEMENTARY TO QUESTION NO.4 OF 1990

HON DR R G VALARINO:

Mr Speaker, I thank the Hon Minister for that answer and I wonder if the Hon Member knows the number of beneficiaries whose pensions are being collected at present by an Agent?

HON R MOR:

Mr Speaker, because the records are computerised and we are in the process of tidying up everything in this connection we



will be able to provide these details to the Hon Member after this House concludes.

HON A J CANEPA:

Mr Speaker, will the Hon Minister say whether the Life Certificate which the Government requires every three months is one which is attested to by a Medical Practitioner or by some other person, and if it is a Medical Practitioner, is it a person in private practice or is it a requirement that he be employed by the State.

HON R MOR:

Mr Speaker, I think that Life Certificates can be endorsed by responsible persons, not necessarily Medical Practitioners, like Bank Managers, Company Directors and the like.

HON LT-COL E M BRITTO:

Mr Speaker, is the Minister in agreement that however much security is implemented and instilled in a system, the actual procedure is useless unless periodic checks are carried out and is he aware that in the recent case that came to court it was alleged by the counsel for the defence that the production of written evidence had not been asked from the claimant, this presumably referred to the Life Certificate which the Minister has mentioned?

HON R MOR:

Mr Speaker, I think that the Hon Member is referring to the mitigating circumstances presented by the defence counsel. What this lawyer was doing was pleading these circumstances in order to try and obtain for his client a reduced sentence. These remarks, that he made in Court, were not necessarily correct. Evidence is required for every single payment made to an Agent on behalf of a claimant. Whether the evidence is asked for every time that is a different matter.

HON LT-COL E M BRITTO:

Mr Speaker, do I take that to mean that Government has given instructions that Life Certificates are to be produced in every single case?

HON R MOR:

No Mr Speaker, these instructions have always been in operation. The case which went to Court involved the presentation of false documents.

18 JAN 1990

NO. 5 OF 1990

ORAL

THE HON DR R G VALARINO

When will Government implement the scheme in order to reduce pensionable age in men from 65 years to 60 years by the introduction of a social wage?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr. Speaker, the Government does not propose to reduce the pensionable age. A scheme to provide employment and pay a social wage to the age group in question has been introduced by a private organisation. If the member opposite wishes, I am sure that those engaged in operating the scheme will be happy to give him a confidential briefing on its operation.

SUPPLEMENTARY TO QUESTION NO. 5 OF 1990

HON DR R G VALARINO:

I thank the Hon Minister for that answer, Mr Speaker, about which I had no previous knowledge. I wonder, Mr Speaker, why no notice of the introduction of such a scheme been given by the Government or by the organisation?

HON R MOR:

Mr Speaker, the people who need to know are those affected and they have been made aware of the scheme.

HON A J CANEPA:

Mr Speaker, does the Minister know what percentage of people in the age group between 60 and 65 are in fact covered by those somewhat informal methods of employment?

HON R MOR:

Mr Speaker, my understanding is that about 95% of those registered are in the scheme.

HON A J CANEPA:

Mr Speaker, are they in receipt of a Social Wage?

HON R MOR:

Yes Mr Speaker, in receipt of a Social Wage.

HON DR R G VALARINO:

Does the Minister have any idea, Mr Speaker, of the amount of

the Social Wage and whether it is payable only to people who reside in Gibraltar?

HON R MOR:

Mr Speaker, I am sure that the Hon Member can be provided with that information when he receives his briefing.

HON A J CANEPA:

Mr Speaker, is the Government satisfied that the informal manner in which this scheme is being undertaken is enough and word is getting through to all those people who because the matter has not been made official are not missing out? Let me say, Mr Speaker, that I understand the sensitivity of the matter and the reasons why the Government does not want to issue Official Notices. I however think, Mr Speaker, that there is a danger that some people may miss out through not getting to know about it. Are they satisfied that they can get at everybody?

HON R MOR:

Yes Mr Speaker, the persons who are registered at the Labour Exchange and are obtaining credits because they are unemployed have all been informed.

HON A J CANEPA:

Mr Speaker, if there are people who are not registered aged between 60 and 65 then they are not eligible?

HON CHIEF MINISTER:

Mr Speaker, the position is that when we took office, we introduced retrospectively to January, 1988, as the Hon Member will recall, a system which made the payment of quarterly contributions unnecessary, provided that people who were over the age of 60 registered with the Labour Exchange as being available for employment. That is to say anybody that is over 60 and is working pays a normal insurance. Now there were something like 78 who were paying voluntary contributions that they had paid since January and were given credits. What we committed ourselves in June was to do something about this particular group since this particular group has in order to maintain the credit to report every week to the Department of Labour and Social Security. They are told there is this offer from this organisation if they want to take it up they do, if they do not they continue to receive the credit. Our understanding, Mr Speaker, is that 95% of them have said yes.

HON A J CANEPA:

Will the Chief Minister confirm that in fact the scheme shows

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a certain abandonment of what was laid down in the Manifesto, perhaps in the light of experience?

HON CHIEF MINISTER:

No Mr Speaker, the Manifesto never said that we were going to introduce pensions at 60. The concept of the Social Wage was actually mentioned there and the essence of the fact that it is a wage and not a pension is that it is not something that is being given away, it is something that is being given in exchange for the provision of a service. Whether it should have been done directly by the Government or it should have been done in some other way is something that was considered in 1989 not just in the light of experience but in the light of community requirements, of which the Hon Member is aware.

HON P C MONTEGRIFFO:

Mr Speaker, is it the intention of Government to make permanent the arrangement that the Social Wage to be paid by Community Care Ltd or is it a transitional measure which will change when the whole Social Security structure is amended subsequently.

HON CHIEF MINISTER:

Mr Speaker, this has nothing to do with the Social Security structure, because the Social Security structure still is unclear as to how it will be replaced and that concerns people who have reached the age of 65 and ceased work. This other scheme is not for people who have ceased work but for people who have stopped work at 60 and do not become entitled until they reach the age of 65 to an Old Age Pension and therefore have a 5 year gap. The only thing that could alter this would be if post 1993 the new pension arrangement were to come in at 60. Then clearly you would not need to keep both systems. That is the only thing that could affect it, if what substitutes the present Pensions scheme is one that pays at 60. This is something which we need to look at what happens within the European Community particularly on the moves requiring equal treatment of men and women. Because there are those who argue that the Social Security system in Gibraltar, as in the UK, is in fact in conflict with Community Law on Sex Discrimination because it discriminates against males. This is because females get their pension at 60 and males at 65 notwithstanding the fact that they both contribute the same to the scheme. At the moment there are, in fact people in the UK challenging that discrimination which clearly could be corrected by making females collect their pensions at 65. That would be in order except that then there would be the question of removing an acquired right and which raises another legal issue. All those factors are not within our control and if something is done which produces Mandatory Directives from the Community in any of these areas, it would not affect this scheme because this scheme is outside the sphere of Government but it would affect the scheme that we have to

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introduce for 1993. And what we do there might have an affect on this but that will not happen until after 1993.

HON P C MONTEGRIFFO:

Mr Speaker, I do not wish to seek to many details, I would also like to benefit from the invitation extended for greater detail. But can I put two questions only to the Government at this stage. One, is the Social Wage taxable? If this question is answered, Mr Speaker, the other might not be necessary.

HON CHIEF MINISTER:

The answer is that of course it is taxable because under the Income Tax Ordinance any wage is taxable it depends on the marginal rate of the persons concerned.

HON P C MONTEGRIFFO:

And secondly, Mr Speaker, would it then be the intention of the Government bearing in mind that there are people not in receipt of an Old Age Pension but who receive other benefits to extend the benefits of the Social Wage not just to people between 60 and 65 but also for people above that age but not in receipt of an Old Age Pension? What I mean Mr Speaker, is that it should not only apply between 60 and 65 but that it should apply to anyone not in receipt of other benefits?

HON CHIEF MINISTER:

I think, Mr Speaker, that in this as in other areas what we are doing is very innovative and it is not something that we are copying from anywhere else and it is not something that has been going on for long in fact it has only been in existence for a few weeks. Therefore we have to learn by experience and see how well it works before we decide whether the system should be encouraged and expanded or otherwise. It is still too early, Mr Speaker, to pass judgement.

NO. 6 OF 1990

ORAL

THE HON DR R G VALARINO

Will Government give details of the percentage increases and amounts payable for Supplementary Benefits, now paid from the Social Assistance Fund, as on the 1st January, 1990, and to what extent old age pensioners are to be helped financially this year and how these arrangements are going to take place?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, on 11th April, 1989, the Member opposite was told in answer to Question No.110 of 1989 that he had the choice of being kept fully informed on a confidential basis and allowed to put forward any ideas the Opposition might have or raise these issues in public and get the same answers he has been getting before. He was also reminded at the time that the situation had already been explained in answer to Questions No.40, 41, 42 and 43 of 1989 and it was also pointed out to him that he had personally been briefed by the Chief Minister on a confidential basis on 22 November, 1988, and had also had the situation explained to him in answer to Question No.172 of 1988. The member opposite, together with his colleagues, was also given an explanation in confidence on 5 December 1988. The Hon Questioner was yet again told in answer to Question No.172 of 1989 what the position was. The situation, Mr Speaker, is that he can obtain any information he wishes on a confidential basis but will not be given details in public for reasons he is fully aware of.

SUPPLEMENTARY TO QUESTION NO.6 OF 1990

HON A J CANEPA:

Mr Speaker, we are aware of the reasons in so far as the second part of the question is concerned which deals with Old Age Pensioners and it is in respect of Old Age Pensioners that the consultations and meetings refer and to which the Hon Minister has referred. However the first part, in my view, is a straight forward question. "Whether there have been any increases in amounts paid under the Supplementary Benefits Scheme, and if so, will the Minister say what has happened". I think that is a perfectly legitimate question, Mr Speaker. Or is the Government now saying that the Supplementary Benefits Scheme, which has not in fact been the subject of discussions in the past between the Government and the Opposition, is to be covered by that umbrella or statement?

HON CHIEF MINISTER:

In relation to the Supplementary Benefits Scheme, in the last year, Mr Speaker, what was previously thought to be outside

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the ambit of Community Law, in particular the area of the Elderly Persons Pensions was made non-statutory, on the basis that non-statutory benefits were social assistance and consequently not eligible, and the advice that they had from experts in UK, in fact, I think it was Mr Hannay himself who actually supported that they move in that direction, the advice we got last year is now in conflict with the advice that the Hon Member opposite had received. And in the light of that advice we are now looking to alternative ways of assisting identifiable groups in our society in a way that contains the cost to the Government. Consequently rather than simply add to the existing system we are looking at other ways of reaching the groups. Therefore the offer that stands in respect of what we are seeking to do for pensioners stands for the other groups for the same reasons. Because of that relationship we are treating it in the same manner.

HON A J CANEPA:

Mr Speaker, is the Hon the Chief Minister saying that Groups who are in no way connected with people who may be deemed to be Old Age Pensioners, or Elderly Persons Pensioners eg single parents, all those other categories, is the Hon the Chief Minister saying that they are under the microscope of EEC regulations and that therefore the sensitivity that applies to Old Age and Elderly Persons Pensions is also to be made applicable to these people and is there no way therefore that the Opposition can exercise its legitimate rights to be informed about increases in these benefits and which the Government might introduce other than under the umbrella of total confidentiality.

HON CHIEF MINISTER:

I am saying, Mr Speaker, that the criteria which he knows about, because he introduced them, which limit eligibility to nationality and residence are the criteria that may not be sustainable and therefore we have to be very careful that we do not create a situation that generates unlimited liabilities for which the scheme was never designed. Therefore the whole future of that particular area is also, at the moment, being re-examined. What I am saying to the Hon Member opposite is that his concern to know what is going to happen and how it is going to happen can be met by giving him information but not in a way or in a forum that puts at risk what we are trying to do.

18 JAN 1990

NO. 7 OF 1990

ORAL

THE HON DR R G VALARINO

Will Government give details of the state of the Social Insurance Fund as on the 31st December, 1989, and what will be the projected state of the Fund on the 31st December, 1990?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

No Sir, as the Member knows from his days as Minister for Labour and Social Security, the state of the Fund cannot be predicted since it is not possible to know what the return on investment will be for the next twelve months.

As regards the figure for three weeks ago, again, as he knows, it takes considerably longer to compute the details of the state of the Fund which is invested by the Crown Agents in the United Kingdom.

When the Audited Accounts are available I will let the Hon Member opposite have a copy.

SUPPLEMENTARY TO QUESTION NO. 7 OF 1990

HON DR R G VALARINO:

Mr Speaker, does the Hon Member have an idea when the Audited Accounts will be available?

HON R MOR:

No Mr Speaker. The Accounts are at present with the Auditor and as soon as they are presented to the Government I will let the Hon Member have a copy.



18 JAN 1990

NO. 8 OF 1990

ORAL

THE HON DR R G VALARINO

Will Government now give details of the amounts collected in social security contributions by persons employed in ships registered in Gibraltar for the years 1988 and 1989 and what is the estimated revenue figure for 1990?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, I have already told the Member less than six months ago what the figures for 1988 were. The estimate that we gave him for 1989 at the time, is one which we are not yet in a position to tell him whether the figure is going to be higher or lower than was estimated because the collection and computation takes longer than the time that has elapsed since the end of the last calendar year, ie since last December. He should know this, Mr Speaker, having been Minister for Labour and Social Security for some years. He must know that the insurance records for the employed labour force of Gibraltar were never ever ready before March or April. So it is not possible to give an accurate figure in less time than that.

For 1990, I am not in a position to give even an estimated figure. As the Hon Member will know, recent world events have had an effect on ship registries around the world and Gibraltar has been no exception. Prior to the American forces' mission to Panama to gently persuade General Noriega to visit the United States courts of justice, the Americans withdrew their ships from the Panamanian Registry and consequently quite a number of companies approached Gibraltar. It is not clear whether those who have approached us will proceed with re-registration in Gibraltar. However, once Noriega was located and tensions eased, it was decided to cancel the previous decision to boycott the Panamanian Registry. Obviously because the amounts contributed by persons employed on ships registered in Gibraltar depends on the ships registered here and also because the whole question of the Ship Registry is in a state of flux at present, there is at the moment no way in which a reasonable estimate can be made.

SUPPLEMENTARY TO QUESTION NO. 8 OF 1990

HON DR R G VALARINO:

Mr Speaker, will General Noriega, sorry I mean the Minister for Labour and Social Security, explain when, in answer to Question 129/89 he said that "a total of £4,422 was collected in 1988 and a further amount of £8,442 of arrears was currently being pursued". Could the Hon Member let me know whether the outstanding amount has been collected and what is the total sum collected in that year?

HON R MOR:

Mr Speaker, because of the short timescale since the Hon Member asked his last question although arrears are being pursued through the Courts in Gibraltar we do not have details available.

HON DR R G VALARINO:

Mr Speaker, has the Government tried to undertake an improvement to expedite the matter of collecting other than the Courts?

HON R MOR:

Mr Speaker, as I said the last time what we were doing was an improvement to what was being done previously. We did also say the last time that the question was raised that because of the time lag and the scheme only having another 3 years to go, that we did not consider it worth the effort to install a machinery that would very soon have to be dismantled when the scheme was wound up.

HON A J CANEPA:

Mr Speaker, will the Minister accept, with the benefit of hindsight, that he perhaps should not have been so vociferous in the past when he was sitting on this side of the House.

HON R MOR:

Yes Mr Speaker, I appreciate that but at the time we did not have the agreement that we managed to obtain from the United Kingdom Government on the question of Spanish Pensions.

18 JAN 1990

NO. 9 OF 1990

ORAL

THE HON DR R G VALARINO

Will Government now consider the introduction of payment under the Social Assistance Fund of an allowance for the first child similar to that of the second and successive children, taking into account that at present families of young children are in real terms less well off?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

No Sir, the position is unchanged since the Member asked the same thing seven months ago and was given an explanation of the Government's policy on the matter.

SUPPLEMENTARY TO QUESTION NO. 9 OF 1990

HON DR R G VALARINO:

Mr Speaker, does the Government not consider that nowadays there are families in real need and that increases in the cost of living and with no relief in taxation etc they could do with the extra £7 for the first child and thereby ease their financial worries?

HON R MOR:

Mr Speaker, I do not think that the situation now is any different to what it was seven months ago. I said at the time, Mr Speaker, that whenever the Government considers that there is a necessity for increasing the amounts paid they will do so.

HON DR R G VALARINO:

Mr Speaker, will the Government confirm that such an allowance is payable in the UK?

HON R MOR:

Mr Speaker, the scheme in the UK is totally unrelated to ours and whatever the UK does is up to them.

HON DR R G VALARINO:

Will the Hon Minister however confirm that it is paid in the UK?

HON R MOR:

Mr Speaker, they do not have any Family Allowances they have Child Benefits and they may well be paid under the Child Benefits Scheme but we do not have that.

18 JAN 1990

NO. 10 OF 1990

ORAL

THE HON M K FEATHERSTONE

Will the Minister explain how the increase of over £2 per week between employer and employee under the Group Practice Medical Scheme has been arrived at?

ANSWER

THE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, I will answer this question together with Question No. 11 of 1990.

18 JAN 1990

NO. 11 OF 1990

ORAL

THE HON M K FEATHERSTONE

How much was the total contributions to the Group Practice Medical Scheme from insurance cards in 1989 and how much is estimated for 1990?

ANSWER

THE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, the sums required in 1990 have been arrived at on the basis of meeting a proportion of the increased recurrent costs of the medical services for the forthcoming year. I cannot give figures for the yield since this depends on a number of factors and the amounts for 1989 have not yet been computed. As the Hon Member is aware the requirements for the preparation of the 89 Accounts were recently extended to allow these to be produced within 9 months ie by the end of December 1989.

As soon as these have been audited I will let the Hon Member have the information for the relevant period.

SUPPLEMENTARY TO QUESTION NOS. 10 AND 11

HON M K FEATHERSTONE:

Does this increase, Mr Speaker, entirely represent the increase in inflation costs? Or has any improvement to the Service been made?

HON MISS M I MONTEGRIFFO:

Mr Speaker, as I said in my original answer to the Question it is a question of meeting the proportion of what we consider to be an increase in recurrent costs to the Medical Services. As soon as I have accurate figures I will send them to the Hon Member. Because the last thing that I wish to do is to supply inaccurate figures to the Hon Member.

HON M K FEATHERSTONE:

Does the Hon Minister remember, Mr Speaker, that she used to make available to me, on a quarterly basis, certain figures of costs and expenses and that she has not been doing so for the last six months.

HON MISS M I MONTEGRIFFO:

That is precisely because we have had nine months in which to prepare and produce the Accounts and as I have already said I will supply the information once it has been audited not before.

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HON M K FEATHERSTONE:

So all figures that will be produced in the future will have this nine months delay, Mr Speaker?

HON MISS M I MONTEGRIFFO:

No Mr Speaker, it is not a question of having a nine month delay but of the Health Authority having the same conditions as every other Government Department. I have explained this in this House on numerous occasions. The answer Mr Speaker, is that as soon as I have accurate substantiated figures I will let the Hon Member have them.

HON A J CANEPA:

Mr Speaker, is it not then the increase of £2 a figure taken out of the top of the Minister's head and which may not be entirely justified?

HON MISS M I MONTEGRIFFO:

No Mr Speaker. What we are doing is looking at a proportion of what we consider to be the recurrent costs in Medical Services and it is not a question of taking figures out of the top of my head. What I am not prepared to do in this House is go give figures until they are accurate and audited.

HON M K FEATHERSTONE:

Mr Speaker, is it not that the subvention to the Hospital must be kept to the absolute minimum and the balance is going to be made up through extra money from the Group Practice Medical Scheme?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I have already said in my original answer that the increase is based on a proportion of the expected recurrent expenditure of the Medical Services and I will provide the Hon Member with the necessary figures once they have been audited.

MR SPEAKER:

Next question.

THE HON M K FEATHERSTONE

Will the Minister for Medical Services explain the circumstances and reasons why the Branch Officer of the TGWU was allowed a side room in John Ward during his stay in hospital last December, why he was given telephone facilities there and allowed to hold meetings with numerous persons, and whether the TGWU, or the taxpayer, has been charged for these facilities on the date of notice of this question?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, as Members opposite should know, decisions on patients and their admissions are taken by the medical profession and not decided at political level. No exception has been made in this case and the decision to place this patient in a side room was made by the consultant on medical grounds.

Similarly when he requested a telephone, the doctor in charge was asked if this would adversely affect his condition and, when it was confirmed that it would be appropriate for the telephone to be available, it was installed. The cost of installation, rental and calls were fully met by the patient's employer.

This situation applied at the time, 'on the date of notice of this question', and still applies.

SUPPLEMENTARY TO QUESTION NO. 12 OF 1990

HON M K FEATHERSTONE:

Is it not a regulation of the hospital, Mr Speaker, that only three persons can visit a patient at any one time? And did not the Branch Officer have up to ten persons in his room at one time?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I have already said that this is a question that has to be determined by the medical profession and the nursing staff in the ward. As far as I am aware there have not been a stream of people going into the medical ward because I do not think that either the nursing or the medical profession would allow people to come into the ward to the detriment of this particular patient or, indeed, other patients.

HON M K FEATHERSTONE:

Mr Speaker, I can inform the Hon Minister that at one time there were at least ten persons having a vociferous argument in the actual side room to the detriment of patients in the ward. Perhaps the Hon Minister could investigate the matter and not put all the blame onto the nursing or medical staff.

HON MISS M I MONTEGRIFFO:

Mr Speaker, I have already investigated the matter as a result of the Hon Member's question. This is a matter, Mr Speaker, which does not come to the Minister to decide upon. It is a matter that is dealt with by the medical profession. Now, if he is telling me that there was a fairly large group of persons upsetting other patients there, I am completely confident that staff in the ward would not have allowed it.

HON M K FEATHERSTONE:

I am glad to see, Mr Speaker, that the Hon Minister is in agreement with me that it is not the sort of practice one wishes to see in the hospital. Will she see that this does not occur in the future?

HON MISS M I MONTEGRIFFO:

Mr Speaker, as far as I am concerned, the Hon Member is referring to something about which I have no information. The Hon Member is making the allegation.

HON A J CANEPA:

Mr Speaker, the meeting to which my colleague is referring to was not a meeting that took place during visiting hours. It was outside visiting hours, fairly late at night, and it was a very heated meeting involving members of the TGWU. Does the Minister consider that that is what a side room in a ward in her hospital should be used for?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I as the Minister implement policy. I am not responsible for the running of the wards. That is something that is run by the nursing and medical profession. It is really for the Sister in charge to decide what is admissible or not admissible. Mr Speaker, I repeat to the Hon Member that I am confident that if anything happened in the ward it was not to the detriment of the patient concerned or other patients.



HON A J CANEPA:

Mr Speaker, is the Minister saying that if a meeting takes place in the hospital it is not a matter of policy? That it is a medical matter? The medical condition of the patient requires that he be allowed to hold a meeting with ten or twelve persons late at night?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I am the Minister not a doctor. These decisions do not come to me. They go to the medical profession and the information that I have from the medical profession is what I have given to the Hon Member, Mr Featherstone. It could well be that there have been similar situations in the past. I really do not know what has prompted the Hon Member to raise this matter. Perhaps the Hon Member is incensed because the patient happened to be the Branch Officer of the TGWU.

HON A J CANEPA:

Mr Speaker, it is the patients in the ward who were incensed and have made representations to us on the matter.

HON MISS M I MONTEGRIFFO:

Mr Speaker, no representations have been made either to the staff, management or the Government.

HON M K FEATHERSTONE:

Mr Speaker, the Minister in her answer made reference to an assessment made by the doctor as to whether the availability of a telephone would affect the condition of the patient. The medical condition of the patient? Or other considerations?

HON MISS M I MONTEGRIFFO:

Mr Speaker, as far as I am concerned, it is the doctor who decides what arrangements are for the benefit of the patient concerned and for the other patients in the ward. That is what I have already told the Hon Member.

HON A J CANEPA:

Mr Speaker, will the Hon Minister find out in how many other cases doctors take into account precisely these sort of considerations, whether a patient should have the use of a telephone? Is that part and parcel of the new facilities being given at St Bernard's Hospital since the Minister took over responsibility?

HON MISS M I MONTEGRIFFO:

Mr Speaker, what I am saying is that as far as I am concerned, as the Minister, I do not run the wards. I do not have to consider what is good or not good for the patient, that is up to the medical profession and the staff involved.

HON M K FEATHERSTONE:

Is it not a shame, Mr Speaker, that the Hon Minister should hide behind the doctors?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I have complete confidence in the doctors and I am not hiding behind them.

HON A J CANEPA:

Mr Speaker, the Minister has been afraid to give a straightforward answer.

HON MISS M I MONTEGRIFFO:

Mr speaker, I have been more honest by telling the Hon Member that I have complete confidence in the staff and in the doctors and I am not going to infringe in their profession because I am not a doctor, I am a Minister.

MR SPEAKER:

Next question, please.

18 JAN 1990

NO. 13 OF 1990

ORAL

THE HON LT-COL E M BRITTO

Will the Minister for Sport say how often the Sports Advisory Body met during 1989 and on what dates?

ANSWER

THE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, during 1989 the Gibraltar Sports Advisory Body met on five occasions ie on 9 February, 7 March, 16 June, 22 June and 14 September.

SUPPLEMENTARY TO QUESTION NO. 13 OF 1990

Mr Speaker, will the Minister confirm that the first two meetings dealt purely or almost exclusively with the allocation of financial grants for the previous year?

HON MISS M I MONTEGRIFFO:

No Mr Speaker, I cannot confirm that because it is inaccurate. Every time we have had a meeting members and associations have been able to raise any matter they wished related to Sport and they have been discussed at every meeting. So the meetings have not been purely on the allocation of grants to Sporting Associations. I can confirm that to the Hon Member, Mr Speaker.

HON LT-COL E M BRITTO:

Mr Speaker, has the initiative for these meetings been taken by the Minister or by the relevant Association?

HON MISS M I MONTEGRIFFO:

Mr Speaker, any member or Association belonging to the Sports Advisory Body or the Minister can call a meeting when they have something that they wish to decide.

HON LT-COL E M BRITTO:

Mr Speaker, I can appreciate that but it does not answer my question. I am not asking for suppositions but for facts. What proportion of these meetings have been held on the initiative of the Minister and what proportion have been called by the Sports Association or members thereof?

HON MISS M I MONTEGRIFFO:

It depends, Mr Speaker, but I can inform the Hon Member that when the Sports Advisory Body has met it is because there were matters related to sport that the Advisory Body had to resolve.

HON LT-COL E M BRITTO:

Mr Speaker, I am sorry that I must persist but I am still not getting an answer to my question. On these five dates that the Minister has given were they held because the Minister called them or were they held because the Association called them? I understand the Minister's principle but I am not talking about the future we are talking about meetings that have already been held. Have they been held because they were called by the Minister or because they were called by the Associations?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I have explained to the Hon Member the aspects about which we meet and I think it is immaterial whether I call the meeting or the Associations call it. The fact is that we have met and we have resolved what matters required to be resolved and the Associations must be happy with the way things are going because we have resolved a lot of pending issues.

HON LT-COL E M BRITTO:

Mr Speaker, whether the matter is immaterial or not is for me to decide because I am asking the question and the fact is that I have not got a straight answer and I will leave it at that. But I fail to see why I cannot get a straight answer.

HON MISS M I MONTEGRIFFO:

Mr Speaker, I do not know at what the Hon Member is aiming but I have told him the times and dates that the Advisory Body has met and that it did not only meet to dish out money but to resolve other sporting problems. As to whether I called the meetings or the Association or the members called it is immaterial. The fact is that we have met and resolved issues.

MR SPEAKER:

Next question.

18 JAN 1990

NO. 14 OF 1990

ORAL

THE HON LT-COL E M BRITTO

Will the Minister for Sport say what has been the effect of the ultimatum given to the proposed supplier of the Victoria Stadium, artificial surfaces to produce results by the 31st December, 1989?

ANSWER

THE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, the Government has not had the assurances it requested on the schedule of works by 31 December 1989 and therefore the option granted to the proposed suppliers is now terminated. The Government is now free to negotiate with other parties and is pursuing possibilities that previously could not be pursued.

SUPPLEMENTARY TO QUESTION NO. 14 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, with the benefit of hindsight can the Minister attribute any reasons for the failure of the proposed scheme?

HON MISS M I MONTEGRIFFO:

Mr Speaker, it is not my responsibility to answer in this House for the Company. It is the Company that has failed. In view of the Company's failure we are pursuing other proposals.

HON LT-COL E M BRITTO:

Mr Speaker, can the Minister give us an indication of the way forward?

HON MISS M I MONTEGRIFFO:

Mr Speaker, the way forward, following the failure of the Company is to look at other alternatives. This we are now doing.

HON LT-COL E M BRITTO:

Mr Speaker, I am asking the Hon Minister if she can give us an indication of what these alternatives are?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I am not going to divulge things in this House when I am in the process of talking to companies and individuals. If I did so I would be prejudicing the negotiations and I am certainly not going to do that.

HON LT-COL E M BRITTO:

Mr Speaker, does the Hon Minister realise that she is repeating what she told me 18 or 20 months later? Moreso when what she told me, now, 20 months later, has failed. But still she refuses to give indications as to why the scheme has failed? I am now asking, Mr Speaker, whether the HON Minister is still going to negotiate to some sort of proposals? Different proposals? Are they with commercial companies? As a Government? I am not asking for details, commercial information, what I am asking is on what broad front does she intend to proceed in order to install an artificial surface. I however get the impression that the Hon Minister refuses to provide the information.

HON MISS M I MONTEGRIFFO:

Mr Speaker, what I have given the Hon Member is factual information. The fact that we gave the Company a deadline. The Company did not meet that deadline. Following this failure the Government is pursuing other alternatives with other companies and individuals. When the Government decides that we have a deal which we think is good for Gibraltar we will announce it.

18 JAN 1990

NO. 15 OF 1990

ORAL

THE HON P C MONTEGRIFFO

What are the details of the arrangements of the commercialisation of the household rubbish collection service with the newly formed Government owned company?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, I will answer this question together with question Nos.16 and 17 of 1990.

18 JAN 1990

NO. 16 OF 1990

ORAL

THE HON M K FEATHERSTONE

Having regard to the importance for the arrangements for the collection and disposal of refuse, will the Minister for Government Services make a detailed statement about the setting up of the Gibraltar Industrial Cleaners Ltd?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Answered together with question Nos.15 and 17 of 1990.



NO. 17 OF 1990

ORAL

THE HON M K FEATHERSTONE

Will the Government say whether there is any collection of refuse on Sundays?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, there is no major significance in the fact that the trade and household refuse collection service is now undertaken by a Government owned company. This has come about as a result of negotiations between the workforce and the Government.

The only difference between the present system and the old arrangements, as far as the public is concerned, is that, at present there will be no collection on Sundays. This is to enable refuse collectors to have one day off every week, since they were the only group of workers within the Government Service who worked 365 days a year.

SUPPLEMENTARY TO QUESTION NOS. 15, 16 AND 17 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, these arrangements do they include any guarantees of the service which is being continued to be given to the public or is there no mention in the arrangements whether it is going to be done by contract or otherwise? What type of service?

HON J C PEREZ:

Mr Speaker, does the Hon Member mean the arrangements between the Government and the private company?

HON P C MONTEGRIFFO:

Yes, Mr Speaker, arrangements between those two entities.

HON J C PEREZ:

Mr Speaker, I have already told the Hon Member that it is a Government owned company and he would not expect the arrangement to be different to the job that they are presently doing. It is not a question of the Government entering into an agreement with a company partly owned by a third party. It is a Government owned company.

HON P C MONTEGRIFFO:

So, Mr Speaker, there is no intention for a change in the

service at present other than the lack of collection on Sundays?

HON J C PEREZ:

That is correct.

HON P C MONTEGRIFFO:

What about the question of fees, Mr Speaker. Will Government give an undertaking that the company does not intend to charge fees to either residential or business premises in the future as a method of recouping funds for its operations?

HON J C PEREZ:

Mr Speaker, the company does not charge any fees and the Government does not charge any fees. The question of fees does not enter into the matter at all.

HON P C MONTEGRIFFO:

Mr Speaker, will the Minister give an indication as to whether the intention would be, in the future, to fund the company through the implementation of fees?

HON J C PEREZ:

No Mr Speaker, there are no plans for that.

HON M K FEATHERSTONE:

Mr Speaker, we asked for a detailed explanation and we have not had it. Who is the Chairman of the company?

HON J C PEREZ:

Mr Speaker, the Hon Member asked for a detailed explanation and I have replied that it is of no major significance what has happened. If he is interested in the name of the Chairman and directors once it is finally incorporated I will forward the details to him.

HON M K FEATHERSTONE:

Is the company still not fully incorporated, Mr Speaker?

HON J C PEREZ:

Mr Speaker, most of the paperwork is ready but not all of it.

HON M K FEATHERSTONE:

What assets does the company have? It is using public service vehicles.

HON J C PEREZ:

Mr Speaker, the company has no assets. The fact that it is using public service vehicles is because as part of the contract the Government loans the vehicles to the public company.

HON M K FEATHERSTONE:

Are the men happy that there is no collection on Sundays, Mr Speaker?

HON J C PEREZ:

Mr Speaker, the men asked not to work on Sundays.

HON K B ANTHONY:

Mr Speaker, the Government has said that the company is not going to collect on Sundays for the moment. Is it the intention to recruit more men and then resume Sunday collections?

HON J C PEREZ:

No Mr Speaker. I said at present because the men are giving it a trial run. If they feel that as a result of the non-collection on Sundays means greater problems on Mondays because of the quantity of rubbish, then they may decide to go back to collecting on Sundays. At present they feel that they are coping alright.

HON K B ANTHONY:

Mr Speaker, if the men have asked for having Sundays off, they must be suffering a reduction of wages? Are they happy with this?

HON J C PEREZ:

The Hon Member assumes wrongly because they are not paid for the refuse they collect.

HON A J CANEPA:

Mr Speaker, has the Minister or the Minister with responsibility for the beaches taken into account what may

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happen during a Sunday at beaches during the summer? With the refuse not being collected. What do they intend to do?

HON J C PERREZ:

Mr Speaker, I found it incredible when I read the AACR's Press Release that they should suggest that beaches will be affected by this new agreement. The collection of refuse at the beaches has never been done by the Refuse Collection Service, they have had separate arrangements.

HON A J CANEPA:

From the beaches themselves who is going to remove the rubbish?

HON J C PEREZ:

Mr Speaker, every summer, for as long as I remember, beaches have had their refuse collected by skips. People were employed on a temporary basis by the previous administration to clean the beaches every summer. Refuse collectors have never been involved in the collection of refuse from the beaches.

HON P C MONTEGRIFFO:

Mr Speaker, will the Government confirm whether it is the intention for the company ever to be able to tender or seek work outside the area of what is now household refuse collection.

HON J C PEREZ:

No, Mr Speaker, it is not the intention for the company to expand further. However if the opportunity arises in the future to be able to expand it in, say by creating employment or revenue we will consider it, but it is not the intention at this stage other than provide the same service that was being provided by the Government.

HON P C MONTEGRIFFO:

Mr Speaker, will the Hon Minister also indicate whether there are any savings in the cost of the service to the Government in what has been done, and if not, what benefits does the commercialisation of the service provide the taxpayer?

HON J C PEREZ:

There are no savings whatsoever, Mr Speaker, but it will not cost the Government more. The benefits are basically that it gives both the Government and the workforce a more flexible system in their remuneration and conditions of service outside the service and free of Civil Service conditions and regulations. It also provides the possibility of improving the service in the future.

HON P C MONTEGRIFFO:

So effectively, and I do not say that I oppose it, it is privatisation in terms of employment?

HON J C PEREZ:

No Mr Speaker, it arises out of negotiations initiated by the workforce.

HON P C MONTEGRIFFO:

That may be so, Mr Speaker, but it has the result, does it not, that what was previously public sector employment is now private sector employment.

HON J C PEREZ:

In other places it might be regarded as a Nationalised Industry, 100% Government owned.

HON P C MONTEGRIFFO:

Mr Speaker, what I am trying to elucidate from the Hon Minister is if he will confirm that the major difference in the new arrangements is in fact the basis of the terms of employment of the workforce other than anything else?

HON J C PEREZ:

Yes Mr Speaker.

HON A J CANEPA:

Mr Speaker, will the Hon Minister say if the company, Gibraltar Industrial Cleaners Ltd, will be able in future to compete in tendering with the Government's friends, Messrs Rock Haulage Ltd?

HON J C PEREZ:

Mr Speaker, the Government has no friends either at Rock Haulage or anywhere else. That system of awarding tenders and contracts ended in March, 1988 when we came into Government. The Hon Member says that they will be able to compete and I have already stated, in case he has not heard me, that the purpose of setting up the company is to do exactly the same as what the Government workers were doing previously. If in the future we see that there are opportunities for the company, we may decide to take them on, but that is not the intention now. The name of the company will probably be changed shortly because the men themselves would like to restrict their activities to the work that they do. They will therefore decide to change the name and I have agreed to let them do so.

HON A J CANEPA:

I am happy to see that there will be no political strings attached to that particular company and that they may be able to compete against people who blackleg.

HON K B ANTHONY:

Mr Speaker, if I may come back to the non collection of refuse on Sundays. Does the Hon Minister really believe that the public will co-operate with their appeal not to place rubbish outside on Sundays? Because last Sunday I counted 17 piles of rubbish in the street within the town area.

HON J C PEREZ:

These are the notices that are being issued. Not only as Press Releases but also to households and businesses shortly. We are asking people to abide by the new situation. I would like to point out that Gibraltar is one of the very few places where rubbish is collected daily. Elsewhere rubbish is collected every two or three days. We are therefore asking people to cooperate and we hope that they will do so.

HON K B ANTHONY:

Nevertheless, Mr Speaker, in summer with the hot weather rubbish will begin to smell very quickly and householders will not wish to keep it in their homes and they will put it out at the nearest corner.

HON J C PEREZ:

We will have to wait and see Mr Speaker. This is why the arrangements are temporary.

HON M K FEATHERSTONE:

Mr Speaker, will the Hon Minister admit that this new company shows a deterioration in the service of refuse collection?

HON J C PEREZ:

No Mr Speaker, I will not admit that it is a deterioration because the refuse left on Sundays is fully collected on the Monday. I think it is only right, Mr Speaker, that the only group of workers that worked every day of the year should have an arrangement so that they have one day free a week.

18 JAN 1990

NO. 18 OF 1990

ORAL

THE HON K B ANTHONY

Have the heat exchange boilers at Waterport designed to transfer heat for use in the adjacent distillery, gone into operation yet?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, each of the three engines at Waterport Power Station are fitted with a heat exchange boiler.

The one on set 3 has been operating since it was first commissioned with the engine in December 1988. It has been available for exporting steam as operationally necessary until last November, when the boiler gas inlet damper suffered mechanical failure.

This installation is under guarantee and the issue was taken up with the suppliers. They are already organised to carry out the necessary work but this requires a shut-down. Given the service requirements of the new plant to generate electricity at this time of the year and the fact that this set is due for servicing at the end of this month, it has been decided to defer the work to that date.

SUPPLEMENTARY TO QUESTION NO. 18 OF 1990

HON K B ANTHONY:

But will they be back on line before the end of this year, Mr Speaker?

HON J C PEREZ:

That is what is expected Mr Speaker.

HON K B ANTHONY:

Mr Speaker, the Hon Minister mentioned Boiler No.1. Surely there are 3. What about the other 2?

HON J C PEREZ:

No Mr Speaker, I mentioned Boiler No.3 but yes there are 3 Boilers. As far as the other two boilers are concerned these were commissioned by the previous Government in 1985 but never used. It has not been possible to use them since we took over because management considers it is essential to have all the systems fully tested but this is not possible without a shut-down of the engines and at present this would lead to interruption in Electricity Supply.

HON K B ANTHONY:

In other words, Mr Speaker, they are not going to be used.

HON P C PEREZ:

No Mr Speaker, at present it is impossible without interruptions in the Electricity Supply. When the Government improves its position on electricity capacity as a result of the coming on stream of Ormrod Generating Station and before the shut-down of King's Bastion Power Station we should have sufficient spare capacity to be able to carry out these works.



18 JAN 1990

NO. 19 OF 1990

ORAL

THE HON K B ANTHONY

Will Government give a firm date when the Ormrod Diesel Company will be coming 'on line' with GibElec?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

No Sir, the Government will not commit itself to a firm date on when the first engines of Ormrod Diesel will be coming into stream.

SUPPLEMENTARY TO QUESTION NO. 19 OF 1990

HON K B ANTHONY:

Can the Hon Minister, Mr Speaker, give an indication of whether it will be in the first six months of this year?

HON J C PEREZ:

Yes Mr Speaker, I expect it to be within the first six months of this year, but I am not prepared to commit myself to a firm date because the starting date of the operation is not a contractual obligation and it is therefore up to the company to deliver.

HON K B ANTHONY:

Is it the intention, Mr Speaker, that each set of engines will come individually in line as are Government's plans to have two stations come into line en masse.

HON J C PEREZ:

Mr Speaker, I was not given notice of that question. I know that there is a programme of when the engines will come into stream. Once the first one is in place at specific periods the other have to come into stream. But I do not have specific information because I was not given notice of the question.

HON K B ANTHONY:

It would appear, Mr Speaker, from the Hon Minister's answer that it is the intention once the first engine is installed they will each come into stream individually.

HON J C PEREZ:

I think that is correct, Mr Speaker.

18 JAN 1990

NO. 20 OF 1990

ORAL

THE HON K B ANTHONY

Will Government make a statement on the present stage of negotiations with the NYNEX Company of the United States?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, the negotiations between the Government and the United States Company Nynex, for the setting up of a Joint Venture Company to run the internal telecommunications service is at the stage where legal advisers from both sides are drafting the necessary contracts to enable it to become a reality. Inevitably, these contracts also form part of the negotiations. In parallel to this, Government is now in the process of opening negotiations with the unions and staff associations.

SUPPLEMENTARY TO QUESTION NO. 20 OF 1990

HON K B ANTHONY:

Sir, can the Hon Minister give an indication of when the negotiations will be completed?

HON J C PEREZ:

No Mr Speaker. The negotiations will be completed when agreement is reached on all matters. I cannot give a deadline.

HON A J CANEPA:

Mr Speaker, is the Hon Minister saying that notwithstanding the fact that the legal documentation is being drafted that that does not mean that agreement in principle, has taken place on a sufficiently number of broad areas to enable them to go ahead?

HON J C PEREZ:

Mr Speaker, agreement in principle, was reached when the Government first announced its intention of opening negotiations with NYNEX. Since then there has been a wide range of areas where agreement has been reached. However until all the negotiations has been finalised and the contracts signed I am not prepared to commit myself as to when the negotiations will be finalised.

HON K B ANTHONY:

Mr Speaker, the Hon Minister mentioned NYNEX in terms of negotiations for telephone improvements but does that still include the Cable TV that was part of the deal?

HON J C PEREZ:

Mr Speaker, all these matters are still under negotiation and particularly the question of Cable TV is something which will be a commercial decision taken at the time and given the situation at the time.

HON K B ANTHONY:

But it is presumably going to enter into the current negotiations, the legal considerations?

HON J C PEREZ:

Yes Mr Speaker.

18 JAN 1990

NO. 21 OF 1990

ORAL

THE HON K B ANTHONY

When does Government intend to bring legislation to this House, to legalise the reception of satellite programmes?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, the necessary legislation is in the course of preparation and will be brought to the House as soon as it is ready.

SUPPLEMENTARY TO QUESTION NO. 2 OF 1990

HON K B ANTHONY:

Mr Speaker, could I have an indication of time?

HON J C PEREZ:

Mr Speaker, I expect to bring it at the next meeting of the House. However the answer is as long as it takes the legal Draughtsman to prepare it bearing in mind other priorities that the Attorney General's Chambers might have.

HON K B ANTHONY:

Mr Speaker, perhaps the Attorney General may be able to give an indication of how long it is going to take?

HON K W HARRIS:

Mr Speaker, how long is a piece of string.

MR SPEAKER:

I have heard that answer before, in my time.

HON K W HARRIS:

Mr Speaker, we still do not have a full team in the Attorney General's Chambers and the problems that stem from that are obvious. I however give priority to legislation in accordance with Government's requirements. If I am asked to give priority to some particular legislation something else has to go by the board. I cannot give a more accurate answer as to timescales than the one the Minister has just given.

HON K B ANTHONY:

Mr Speaker, I thank the Hon the Attorney General for his honest,

if not conclusive answer.

HON P C MONTEGRIFFO:

Mr Speaker, does the Minister's reply mean that he accepts that the present regulations of satellite reception is, if not just unregulated, illegal? In that the question posed by the Hon Mr Anthony is that the legislation is to legalise the reception of satellite transmissions.

HON J C PEREZ:

Mr Speaker, there is only one aspect of it that needs a change in legislation, since most of it can be changed by regulation, and I expect that the Hon Member was referring to the regulations as much as the legislation. The only aspect that needs a change in legislation is where there is one receiving installation or one set of equipment and that covers more than one building because it infringes on the GBC Ordinance which only allows GBC to broadcast within Gibraltar. Other than that the receipt of satellite transmissions does not necessitate a change in the legislation as such.

HON P C MONTEGRIFFO:

Mr Speaker, taking that into account, is it the Hon Minister's view, as expressed in this House, not too long after taking office, that in fact current reception of satellite transmissions is outside the law and therefore should not be encouraged until the necessary framework is established.

HON J C PEREZ:

Mr Speaker, the Hon Member will recall that I was not the one that said that, it was the Hon Mr Mascarenhas, when he was in Government. What I said, at the time, was that the advise that was being given to this Government, was the same advise that had been given to the previous Government, that the matter was illegal. Since then, and after numerous meetings, the advise that the Government gets now is that it could not move against those that have dishes because in fact it was not illegal. That is why no action has been taken against those persons that have dishes, Mr Speaker, it would therefore not have been fair to stop those persons wishing to erect them and had been waiting. Therefore in anticipation of this change in legislation we accepted that people who have had dishes erected should continue. The Regulations will regulate how the equipment should be placed. At the end of the day there was no power on our side to be able to tell persons who had erected dishes to remove them.

HON P C MONTEGRIFFO:

Mr Speaker, I am sorry to press the matter further but my clear

understanding from Hansard, and I can quote from it, is that the Minister himself clearly warned people that they should not introduce equipment for the reception of satellite transmissions because they could find that equipment was obsolete and that therefore they should be careful because it was outside the law. That is clear in my mind. However if the Minister has changed his mind because of a different legal opinion I am prepared to hear that now. But that was not the position at the time.

HON J C PEREZ:

Mr Speaker, the Hon Minister has not changed his mind. It is the Hon Member who has not read Hansard well. Mr Speaker I was not at that time referring to the law but to the kind of equipment that could become obsolete, even Government's plans and I can repeat that Mr Speaker. Because if we go ahead with Cable Television then a lot of the equipment that there is today, if people were to take up the offer of Cable, would become obsolete. Therefore at the time GBC was studying the Multi Point Microwave System and I was saying that that satellite equipment which people were buying might become irrelevant and obsolete if GBC introduces the system of microwave distribution and which it might yet do. That was what I was referring to, Mr Speaker, when I warned people. But yes if the Hon Member wants to ask me what my preference is, then my preference is that people should wait until there is Cable. This is basically because of the environment. However if people are not prepared to wait then one has to allow the situation to develop and at the end of the day be able to offer a service which is better and try to get people to this service.

HON P C MONTEGRIFFO:

I am grateful to the Minister for that answer, Mr Speaker. However does he recollect a front page article in the Panorama headlined "Satellite TV illegal says Minister" and under it was a rather humourous cartoon of the Minister.

MR SPEAKER:

I must stop the Hon Member because he cannot quote from newspapers or ask questions on articles appearing in newspapers because Ministers are not expected to be responsible for such articles. Next question please.

18 JAN 1990

NO. 22 OF 1990

ORAL

THE HON M K FEATHERSTONE

What is the percentage of paid up TV licences and what is Government doing to collect the remainder?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, as at 12 January 1990 80.58% of TV licences have been paid. The remainder 19.42% have been sent reminders and given until a particular date by which to make payment. Persons failing to pay by that date will be referred to the Attorney-General's Chambers so that legal action may be taken to secure payment.

SUPPLEMENTARY TO QUESTION NO. 22 OF 1990

HON M K FEATHERSTONE:

Will the Attorney General prosecute these people with the utmost vigour.

HON J C PEREZ:

Mr Speaker, the process of prosecuting people has not changed since the 24 March 1988. People are sent reminders and the process is the same as was before. We cannot expect that because they do not pay their TV licences that that should be given priority over those who are not paying their electricity bills.

HON P C MONTEGRIFFO:

I wonder, Mr Speaker, whether the Minister is prepared to answer the rather broader question that I am going to ask him? Will the Government give considerations to actually facilitating the collection of TV licences by empowering the equivalent of inspectors or whatever to call at peoples' residences rather than go through what must be a cumbersome procedure of litigation for what is after all a very small sum?

HON J C PEREZ:

Mr Speaker, the evidence that the Government has is that when most people get the last reminder threatening legal action the majority pay up. Very few, in fact, turn up in court. I think, Mr Speaker, that the system that the Hon Member is proposing would not be cost effective.

HON G MASCARENHAS:

Mr Speaker, is the Hon Minister aware that, certainly up to

March, 1988, there was an investigating officer in the Post Office who had the powers, in law, to visit homes and to try and find out whether that household had paid their TV licence.

HON J C PEREZ:

Yes Mr Speaker, I am aware of that but he is not solely an investigating officer he has a wide range of duties, one of which is investigating the non-payment of TV licences.

HON G MASCARENHAS:

And the Government has retained that officer with those responsibilities?

HON J C PEREZ:

Yes Sir.

HON P C MONTEGRIFFO:

Should not that officer be empowered by regulation to basically demand payment so that the proceedings would take the nature of his having to attend rather than have long proceedings.....

HON J C PEREZ:

Mr Speaker, he is empowered to do that but apart from that I do not know what the row is about. Last year after going through the Attorney General's Chambers 99% of all licences were collected. So if we are being successful in collecting 99% of all licences I do not know what the problem is.

MR SPEAKER:

Next question.



THE HON G MASCARENHAS

Will Government state the levels of deposits held in the Post Office Savings Bank as at:

- (a) 31.12.88
- (b) 31.12.89?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, the amounts of deposits held in the Government Savings Bank were:

As at 31.12.88	-	£ 2,600,327.91
As at 31.12.89	-	£20,024,566.71

SUPPLEMENTARY TO QUESTION NO. 23 OF 1990

HON G MASCARENHAS:

Mr Speaker, having regard to the rate of interest which the Post Office pays, to what does the Hon Minister attribute the increase to?

HON J C PEREZ:

Mr Speaker, I attribute the increase to new deposits.

HON G MASCARENHAS:

To new deposits, Mr Speaker? A jump from £2m and on a rate which is certainly not a market rate?

HON J C PEREZ:

Mr Speaker, the Hon Member may recall that there were certain changes introduced to the Savings Bank interest rate and new services offered. I am not particularly sure that these are the reasons for the increase but it is certainly due to new deposits, yes.

HON G MASCARENHAS:

Mr Speaker, are they so dramatic that they have attracted an increase, I do not know the exact percentage, but perhaps the Chief Minister can give it, from £2m in one year to £20m in the next twelve months?

HON J C PEREZ:

Mr Speaker, what is the information that the Hon Member wants? Whether I think that it is dramatic or not? Is that what the Hon Member is asking for?

HON G MASCARENHAS:

Mr Speaker, what I find incredible is that given the rate of interest that is paid by the Savings Bank that we should have such a dramatic increase. Does the Hon Minister attribute it to any other reason? Because the improvements in the Post Office Savings Bank surely do not attract an increase from £2m to £20m?

HON J C PEREZ:

Mr Speaker, the increase in deposits at the Post Office Savings Bank can only be attributed to increased deposits, nothing else. I do not know what the Hon Member is driving at.

HON M K FEATHERSTONE:

Mr Speaker, is there any truth in the story circulating around town that one person came in with a deposit of £10m?

HON J C PEREZ:

Mr Speaker, I cannot answer for investors or depositors but I have not heard that rumour.

HON A J CANEPA:

Mr Speaker, is there any truth in the rumour going round town that the Post Office Savings Bank may be being used for the laundering of money?

HON J C PEREZ:

Mr Speaker, what laundering of money?

HON A J CANEPA:

Mr Speaker, is the Government satisfied that this is not the case?

HON J C PEREZ:

Mr Speaker, if the Hon Member has evidence that this is happening I am sure that the Attorney-General will be happy to be provided with whatever information the Hon Member has in order to prosecute. But what the Hon Member cannot do, Mr Speaker, is stand up and make these kind of insinuations and then sit down as if nothing had happened. The Hon Member should substantiate what he has just said, Mr Speaker.

MR SPEAKER:

Order. I must remind Hon Members that they are responsible for the statements that they make in this House and if the Leader of the Opposition is making that statement he should be able to substantiate that.

HON A J CANEPA:

Mr Speaker, I have asked whether the Hon Minister will comment on the rumours circulating in town and whether they are connected with that and if the Government is satisfied that the procedures that they are adopting when they accept deposits are sufficiently stringent to counteract that?

HON CHIEF MINISTER:

Mr Speaker, the rumour has just been started by the Hon Member in this House and if it has not then he has got a political obligation to bring to the notice of the Police and the Attorney-General the source of that rumour. To suggest that a Government owned Savings Bank is being used for laundering money is, in fact, not only to undermine the credibility of the Savings Bank which is doing well, and which he should be happy about, but to undermine the whole credibility of the reputation of Gibraltar as a Finance Centre. Mr Speaker, he either withdraws what he has said because he knows it is not true or he provides the basis upon which he has that information so that we can get to the bottom of it. And let me tell him that if anybody is putting money that was laundered into the Savings Bank, the situation is that we would make a 100% profit on it. Because the law allows us to confiscate it.

HON A J CANEPA:

Mr Speaker, my colleagues were all present and are aware of the fact that the question that my colleague, Mr Featherstone, had asked about, "of someone having deposited £10m" was information that was allegedly given to us.

HON M A FEETHAM:

Mr Speaker, this is like every other rumour that the AACR is famous for circulating throughout Gibraltar. Like every other one that they have circulated.

MR SPEAKER:

Next question.

18 JAN 1990

NO. 24 OF 1990

ORAL

THE HON K B ANTHONY

When does the Government intend to begin the pedestrianisation of Cornwall's Lane, Cornwall's Parade and Horse Barrack Lane area?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, it is not the intention of the Government to pedestrianise Cornwall's Lane or Cornwall's Parade. Horse Barrack Lane is already a pedestrianised area.

SUPPLEMENTARY TO QUESTION NO. 24 OF 1990

HON K B ANTHONY:

Surely the original intention was to pedestrianise around Cornwall's Lane and Cornwall's Parade, Mr Speaker.

HON J C PEREZ:

No Mr Speaker, neither the previous Government or this one has had any plans to pedestrianise either Cornwall's Lane or Cornwall's Parade.

18 JAN 1990

NO. 25 OF 1990

ORAL

THE HON K B ANTHONY

Does the Government have any plans for improved drainage of Bell Lane, Cornwall's Lane and Horse Barrack Lane?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, there are no immediate plans for improving the drainage of Bell Lane, Cornwall's Lane and Horse Barrack Lane as it is not thought necessary at this present time, other than the construction of one gully at the top of Bell Lane and the diverting of the outlet of another at Cornwall's Lane.

SUPPLEMENTARY TO QUESTION NO. 25 OF 1990

HON K B ANTHONY:

Mr Speaker, is the Minister not aware that every time it rains, I am not talking of drizzle, I am talking of rain, Cornwall's Lane and Horse Barrack Lane become flooded areas completely because there is no drainage at all there.

HON J C PEREZ:

Mr Speaker, I can only go by what the PWD Sewer Section feel is necessary in the area. If the Hon Member had asked me to check whether I thought that the sewage there was suitable as a result of the recent floodings I might have been able to supply him with an answer. However the Hon Member has not asked that. He has asked whether there are any plans to change the sewers and the answer is that there are no plans to change the sewers. If the Hon Member would like me to check why it is that the area in question is prone to flooding every time it rains then I will do so, Mr Speaker and then provide him with the information.

HON K B ANTHONY:

Mr Speaker, I have just told the Hon Minister that there are no drains in that area. The only drain is outside a shoe shop in Main Street, not 50 yards from where the Hon Minister is seated, and the water comes down Cornwall's Lane, Horse Barrack Lane and only goes into the sewage system at the point I have just mentioned.

HON J C PEREZ:

Mr Speaker, I shall have to check that. I cannot just take the Hon Member's word for it. However as far as the Department

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is concerned they consider the drainage to be satisfactory. I shall however bring to their notice what the Hon Member has just said and the matter will be checked.

18 JAN 1990

NO. 26 OF 1990

ORAL

THE HON K B ANTHONY

Will Government explain why the surface of Scud Hill was scarified last Spring, yet still has not been resurfaced?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, in order to resurface more roads in a year, a cold milling machine was hired for a period of 12 weeks commencing the first week of April 1989. All the roads to be resurfaced in the programme for the financial year 1989/90 had the wearing course planed-off during these weeks. Scud Hill's wearing course was planed off between the 17-22 May 1989.

As part of the water mains replacement programme for the South District the replacement of the main along Scud Hill was included and programmed for the late summer/early autumn period. Therefore, it was decided to delay the resurfacing of the Hill until the replacement works were completed to avoid breaking up newly paid asphalt. The works were completed by mid-October. However, the road gang was at the time engaged in the resurfacing of the footpath at the cemetery and afterwards resurfacing Cooperage Lane, both these works were not part of the resurfacing programme.

From November to date, only the resurfacing of Line Wall Road has been completed due to the inclement weather conditions suffered. In the meantime weather permitting patching up work has been carried out.

Works at Scud Hill commenced last Monday and will continue, weather permitting.

SUPPLEMENTARY TO QUESTION NO. 26 OF 1990

HON K B ANTHONY:

I thank the Hon Minister, Mr Speaker, for that answer. Is it the intention of the Government to hire the Scurrifying Machine again in the next Financial Year?

HON J C PEREZ:

Mr Speaker, that is something that the Government is considering in preparing our estimates for next year. However no firm decision has yet been taken.



18 JAN 1990

NO. 27 OF 1990

ORAL

THE HON M K FEATHERSTONE

When will the traffic lights at Casemates Hill be operational?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, should the weather not impede the road marking of the approaches to the junction of Line Wall Road and Casemates Hill, the traffic lights should become operational very shortly.

SUPPLEMENTARY TO QUESTION NO. 27 OF 1990

HON M K FEATHERSTONE:

Mr Speaker, we were told a little while ago that they would become operational when the road surfacing was complete and now we are told very shortly. Is this a realistic appraisal of the situation or is it just one more euphemism?

HON J C PEREZ:

No Mr Speaker, it could well be that the lights are operational by the end of this week but I cannot guarantee that. Except that the whole of the resurfacing has not been completed in that there are parts of Casemates Hill which are very bad as a result of the recent rains and which need resurfacing. We are however proceeding to get the lights operational. If we later have to put them out for a day or so to resurface Casemates Hill we shall do so. As I have said, Mr Speaker, I hope the lights will be functioning by tomorrow but I would not like to guarantee it.

HON M K FEATHERSTONE:

I hope, Mr Speaker, this is done expeditiously.

MR SPEAKER:

Next question.

18 JAN 1990

NO. 28 OF 1990

ORAL

THE HON A J CANEPA

Has the Government reached any conclusion with the developers of the proposed hotel on the waste ground next to St Martin's School, having regard to the review indicated by the Minister for Trade and Industry, in answer to Question No.30 of 1989?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Yes Sir, the Government has agreed to the developer's request for a change of use from Hotel to Residential which is in keeping with Government's own policy for the area.

SUPPLEMENTARY TO QUESTION NO. 28 OF 1990

HON A J CANEPA:

I thank the Hon Minister for that answer, Mr Speaker.

18 JAN 1990

NO. 29 OF 1990

ORAL

THE HON P C MONTEGRIFFO

Will Government confirm what new arrangements it has sought with the MOD as to the basis upon which land will be released back to the Gibraltar Government as and when this becomes available?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, Government's position on the release of MOD lands is as previously stated in this House, namely, that land no longer required by MOD for a defence purpose automatically reverts to the Gibraltar Government for civil use. Other than this there are no new arrangements.

SUPPLEMENTARY TO QUESTION NO. 29 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, will it be Government's intention to ensure that any land that is released, certainly as a result of the Battalion's departure, will not be on the basis of the last Lands Memorandum Agreement but will be on fresh, more favourable, terms to Gibraltar.

HON M A FEETHAM:

Mr Speaker, we have put our views to the British Government and our views are as I have just explained. As far as we are concerned any land which is no longer required for Defence purposes reverts to the Government of Gibraltar for civil use.

HON P C MONTEGRIFFO:

Is the Minister therefore prepared to undertake that no price will be paid for any land that is returned to the Gibraltar Government ie that the MOD gives up?

HON M A FEETHAM:

Mr Speaker, as far as this Government is concerned we are not prepared to pay for land for which the constitutional position is that the Gibraltar Government owns the land.

HON P C MONTEGRIFFO:

Mr Speaker, I am most grateful to the Minister for that answer which I welcome and could he extend that position to include buildings that are on any such land?

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HON M A FEETHAM:

Mr Speaker, our position is that we are not prepared to pay for anything at all for the pleasure of the MOD leaving Gibraltar.

18 JAN 1990

ORAL

NO. 30 OF 1990

THE HON LT-COL E M BRITTO

Will the Minister for Housing explain the procedure used to allocate the Queensway Housing Estate?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Questions 31, 32 and 33 of 1990.

18 JAN 1990

NO. 31 OF 1990

ORAL

THE HON LT-COL E M BRITTO

Will the Minister for Housing explain how many persons declined to accept accommodation at the Queensway Housing Estate?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question Nos. 30, 32 and 33 of 1990.

18 JAN 1990

NO. 32 OF 1990

ORAL

THE HON LT-COL E M BRITTO

Will the Minister for Housing state how many housing units at the Queensway Estate are suffering from water penetration and/or condensation problems?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Questions 30, 31 and 33 of 1990.

18 JAN 1990

NO. 33 OF 1990

ORAL

THE HON P C MONTEGRIFFO

Will Government confirm what steps it has taken against the suppliers of the temporary housing units now erected at Queensway, so as to correct the problems that have been identified by tenants on being granted occupation?

ANSWER

THE HON THE MINISTER FOR HOUSING

Sir, the allocation procedure for Queensway was on the basis of my reply in 1988 to a question from the Honourable Member opposite. The offer was made to the following categories: long standing applicants in waiting lists, medically categorised cases and families who have been living in substandard accommodation for a number of years.

A total number of applicants of about 100 were offered allocation and out of this total, 17 rejected the offer and 82 accepted. Included in the 82 were a total of 6 which was not provided for in my answer of 1988 where the offer was made in relation to decanting of Government tenants from existing tenements in areas where the Government is committed to vacating the buildings in question. This was done as a result of some of the initial people on the waiting list declining the offer and the opportunity was taken, therefore, to see whether those people awaiting re-allocation and decanting were interested in the opportunity created as a result of the Queensway housing units. In fact, the level of people who declined the offer to move to Queensway from those requiring decanting was, as is to be expected, much higher than from those on the waiting list as they preferred to wait until they could be decanted somewhere else on a permanent basis.

There are two units suffering from slight water penetration and on Tuesday materials were received from the suppliers to rectify the fault. The work will start as soon as the weather permits.

The problem of condensation, however, is more widespread and is affecting most of the top floor flats. This has already been brought to the attention of the supplying company for a possible solution and also with a view to seeing if they have had the same problem in other Countries where this type of construction has been carried out or if the problem is only particular to Gibraltar, due to our climate. In addition to this my Department is also looking into the problem to see if we can come up with a possible solution ourselves.

The company intends to send one of their Engineers to Gibraltar and we are waiting for confirmation on a date of arrival. The intention is to carry out discussions here with him to see which



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of the possible solutions drawn up by either of us can achieve its objective best.

SUPPLEMENTARY TO QUESTION NOS. 31, 32  
AND 33 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, could I ask first of all to repeat the first figures that he gave which were a bit unclear.

HON J L BALDACHINO:

What I said Mr Speaker, was that out of the total of 100 that were offered under the categories that I mentioned in my answer of 1988, 17 rejected and out of those 17 then it was offered to people who the Government wishes to decant.

HON LT-COL E M BRITTO:

70?

HON J L BALDACHINO:

No 17.

HON LT-COL E M BRITTO:

Is it right then to say, Mr Speaker, that the main reason for rejecting this accommodation was that, or the majority of the people, they were already in temporary accommodation and preferred to stay there?

HON J L BALDACHINO:

That is correct, Sir. People who are living in sub-standard conditions like North Gorge where we had the highest percentage of persons declining.

HON LT-COL E M BRITTO:

Mr Speaker, from the 3 categories mentioned by the Minister, the long standing applications, the medical categorisation and the sub-standard accommodation, was allocation made in order of priority, as indicated by the Minister in his answer to Question No.141 of 1988 or was an equal number of applicants chosen from each category and then applications made in equal numbers from each category.

HON J L BALDACHINO:

No, Mr Speaker, that is not the case. The highest priority was given to people on the waiting list because people who are

medically categorised, as the Hon Member should be aware, is that everytime that there is a new construction 20% goes to that category. As such 60 units out of the total were offered to persons in this category. The bulk of the people accommodated there were from the waiting list and a few were social cases.

HON LT-COL E M BRITTO:

On the question of water penetration is this considered to be serious or should I say that they do not require experts from outside and can be repaired fairly quickly?

HON J L BALDACHINO:

Mr Speaker, the water penetration is not considered serious because what it is is a drop filtering through the limps and the supplier is designing something to cover the limps which will stop the penetration of water. We ourselves, already, have tried something which is called "highband strips" and that to a certain extent stopped the penetration of water in that flat or in those flats, in that block. But suppliers came up with an alternative and we think that the alternative, since it is the suppliers responsibility, is better and we will be installing the alternative which the suppliers are providing.

HON LT-COL E M BRITTO:

Mr Speaker, is it the intention to carry out this remedial work now or wait until the summer months?

HON J L BALDACHINO:

That is a very difficult question to answer, Mr Speaker, because we have to do the work weather permitting. It cannot be done during the time that it is raining and therefore we require a period of good weather. If I were to be sure that we would have a period of three or four days like today we would carry out this remedial work immediately. We could start but I cannot guarantee when the work would be completed.

HON LT-COL E M BRITTO:

I accept that Mr Speaker, but can the Minister confirm that there has not been a deliberate decision taken not to do anything until June or thereabouts. That it will be done as soon as possible.

HON J L BALDACHINO:

That is correct, Mr Speaker.

HON P C MONTEGRIFFO:

Can the Hon Minister confirm that the entire cost of any remedial

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work has been accepted as a responsibility of the supplier.

HON J L BALDACHINO:

The alternative method that I have mentioned is at the supplier's expense. However on the question of condensation I would not like to commit myself until I have discussed the matter with the suppliers and see where the fault lies.

HON P C MONTEGRIFFO:

Mr Speaker, is it a case of payments still being owed to the suppliers either for this project or any other project?

HON J L BALDACHINO:

Mr Speaker, we have what is called retention money in respect of the Queensway Project. With regard to the Devil's Tower Project that is not a Government Project.

HON P C MONTEGRIFFO:

Has the Government decided to take a different view on any future contract it might have with these suppliers in the light of this experience. Is there going to be an implication for any future projects of a temporary nature as a result of the experiences had with this project.

HON J L BALDACHINO:

Mr Speaker, I would not like to answer that question until I have my discussions with the suppliers and see what solutions are possible and who is going to pay.

HON P C MONTEGRIFFO:

Finally, Mr Speaker, is it the case that, as far as the Government is concerned, it is not in a position to determine whether the condensation problem which appears to be the biggest one, is a design fault or a fault, perhaps, in the way it has been put together. And until that is assessed the responsibility will not be clearly established.

HON J L BALDACHINO:

That is correct, Mr Speaker.

THE HON LT-COL E M BRITTO

Will Government state what is the current level of rent per square per annum exclusive of rates of housing units at -

(a) Laguna Estate, (b) Glacis Estate, (c) Moorish Castle Estate, (d) Varyl Begg Estate, (e) Rosia Dale Estate, (f) St Joseph's Estate, (g) St Jago's Estate?

ANSWER

THE HON THE MINISTER FOR HOUSING

Mr Speaker, the current level of rent is the same as the level of rent introduced on 2 April 1984 by the AACR Government and made public at the time.

SUPPLEMENTARY TO QUESTION NO. 34 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, I, as the Minister well knows, was not in the AACR Government at the time and I would appreciate information from that side of the House on the actual figures.

HON J L BALDACHINO:

Mr Speaker, under Standing Orders it is stated that if a document is public I do not have to provide the information in this House. The Hon Member can obtain that information from the public document published at the time.

HON A J CANEPA:

What does the Hon Minister mean by a public document? Does he mean an Ordinance, a Legal Notice in the Gazette, a statement made in this House by the Minister for Housing at the time? What exactly does the Hon Minister mean?

HON CHIEF MINISTER:

We are talking about a situation where the Hon Member was in the Government that raised those rents and I am sure that he can tell the Hon Member, Lt-Col Britto, where the information is. Because he was a member of the Government that published that information.

HON A J CANEPA:

No, Mr Speaker, and I will tell the Hon the Chief Minister why. Because Government Rents are raised administratively

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and the matter could have been the subject of a Council of Ministers Paper I may not have that Council of Ministers paper any longer. However if a statement was made in the House of Assembly.....

HON CHIEF MINISTER:

It was made.

HON A J CANEPA:

Mr Speaker, if the statement was made in this House subsequent to the decisions of Council of Ministers then that is another matter.

MR SPEAKER:

Perhaps I can clear the matter. Are the documents accessible? Because that is what Standing Orders state.

HON CHIEF MINISTER:

Mr Speaker, the position is that the information that the Hon Member is requesting was provided to us in Opposition by the then Government. That is why it is public knowledge and has been public knowledge for 5 years. They may have forgotten but we are being asked "what were the rents introduced by the previous Government". That is what we are being asked, Mr Speaker. Now quite apart from the fact of why we should be asked what rents were introduced by the previous Government, independent of that, what we are saying is that when the previous Government introduced those rents they made a statement in the House and produced a public document which showed the old rent and the new rent. I remember that, Mr Speaker, and I am sure that there must be members opposite who also do.

MR SPEAKER:

The point is is the document accessible?

HON CHIEF MINISTER:

Yes, Mr Speaker.

MR SPEAKER:

Apparently within the papers of this House.

HON CHIEF MINISTER:

I would think so, Mr Speaker.

HON A J CANEPA:

Thank you Mr Speaker.

HON LT-COL E M BRITTO:

The only other point I would like to make, Mr Speaker, is that it would have been a lot easier and saved a lot of our time if the answer could have been "The information is available in such and such a place". I would then have looked it up. The least that Members on that side owe to a new Member like myself is the courtesy of answering and giving the right information, rather than being evasive.

HON CHIEF MINISTER:

Mr Speaker, a new member of the House, like all of us who arrived in this House for the first time, are supposed to familiarise themselves with the Standing Orders of this House and the Standing Orders of the House state that you do not ask questions about matters that are public. I assume that **the new member must have told the** old members on that side what question he intended to put and the old members could have told him what the answer was going to be. They could, in fact, have told him that the information that he was seeking was information that they had made public five years ago when they were in Government. They could have told him that. It is not up to us to tell the Hon Member how to operate in the Opposition.

HON A J CANEPA:

Of course, Mr Speaker, we are aware of the fact that during the sixteen years that we were in Government a number of increases in rent took place. What we are not aware in this era of open Government is whether the Government has taken any steps subsequent to 1984 about which we do not know.

HON CHIEF MINISTER:

Well, Mr Speaker, I am astonished that the Hon Member hears rumours about totally untrue things, like laundering, and he has not heard the rumour that the rents have not been increased. Does he honestly believe that you can raise 5,000 rents in Gibraltar and he would not get to hear about it? He cannot be that isolated from the population, Mr Speaker.

MR SPEAKER:

Next question.

18 JAN 1990

NO. 35 OF 1990

ORAL

THE HON DR R G VALARINO

Has Government now investigated my previous complaint as to the removal of debris and rodents in the area to the back of Harrington Buildings and what action has been taken since my initial question in March, 1989?

ANSWER

THE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, since the initial question in March 1989, the area to the back of Harrington Buildings was investigated. There was debris and overgrown plants but no sign of rodents was found. The Tourist Section was asked to schedule the area into their programme for cleaning of planted areas.

18 JAN 1990

NO. 36 OF 1990

ORAL

THE HON G MASCARENHAS

Will Government state the amount collected in airport departure tax between 1 4 89 and 31 12 89?

ANSWER

THE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, Government has collected the amount of £415,572 from departure tax between 1 4 89 and 31 12 89. This is roughly within the estimated revenue budgetted for in 89/90 which was set at £600,000.

SUPPLEMENTARY TO QUESTION NO. 36 OF 1990

HON G MASCARENHAS:

Mr Speaker, is this the revenue of the Airport Company?

HON J E PILCHER:

Mr Speaker, this is the revenue of the Government.



18 JAN 1990

NO. 37 OF 1990

ORAL

THE HON G MASCARENHAS

Will Government give figures on the numbers of visitors to:

- (a) St Michael's Cave
- (b) Upper Galleries
- (c) Museum

during 1987, 1988 and 1989?

ANSWER

THE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, the number of visitors to tourist sites during 1987, 1988 and 1989 are as follows:

	<u>1987</u>	<u>1988</u>	<u>1989</u>
Gibraltar Museum	32700	29742	22377
St Michael's Cave	380290	330285	286310
Upper Galleries	44392	40644	41227

SUPPLEMENTARY TO QUESTION NO. 37 OF 1990

HON G MASCARENHAS:

Mr Speaker, will the Minister confirm that there is a downward trend over the past 3 years in visitors to these three sites.

HON J E PILCHER:

No Mr Speaker. The Minister will not confirm that there has been a down trend for the last 3 years. There has been a down trend in different areas in different aspects of that. For example in the Upper Galleries the down trend started in 1985; in St Michael's Cave it did start in 1986/87; and in the Gibraltar Museum it started in 1985/86.

HON G MASCARENHAS:

Mr Speaker, from the figures that the Hon Minister has just produced, St Michael's Cave has suffered a drop in the last two years of nearly 100,000 people, about 25%.

HON J E PILCHER:

That is correct, Mr Speaker. However what the Hon Member asked me was whether there had been a down trend since 1987 in the

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general context of the overall figures. The down trend started in the Upper Galleries in 1985; in the Museum 1985; and in St Michael's Cave in 1987.

HON G MASCARENHAS:

Mr Speaker, the point that I am making is that the Upper Galleries has maintained the levels except for a very small drop from 1987 to 1988 of 4000. Whilst in St Michael's Cave and the Museum there has been in one a significant drop and in the other more or less the same in percentage terms. To what does the Hon Minister attribute these drops to?

HON J E PILCHER:

Mr Speaker, I attribute the drop, particularly in St Michael's Cave, because I think that is the one that is the most traumatic. There are three areas, I think, on the one hand the fact that there has been a drop in visitors since it peaked in 1986/87 because of less coaches coming to Gibraltar. Secondly, Mr Speaker, during the years 1985 and 1986 there were a lot of people coming to Gibraltar for the first time. Now these repeat visitors do not necessarily want to visit the Cave again. The third element is the question of the operators of Rock Tours wishing to maximise the time and cost of the Tour and therefore as a result they do not include St Michael's Cave in the itinerary.

HON G MASCARENHAS:

Mr Speaker, in view of the fact that the amount of visitors to the sites produce revenue for Government or its company will the Minister undertake something to boost these figures?

HON J E PILCHER:

Mr Speaker, the Minister, and in this particular case the Tourism Agency, is already looking at all aspects of the movement of Day Excursionists to the sites and is in fact at the moment looking at ways and means of being able to get that back on train as it was in 1985/86. Let me add, Mr Speaker, to the extent that one can because if there are less coaches because there are less visitors to the Costa del Sol and also those on repeat visits are not going to go and visit the sites always however bearing in mind what I have said we will do our utmost.

18 JAN 1990

NO. 38 OF 1990

ORAL

THE HON A J CANEPA

Will the Chief Minister say whether he has been consulted about the Attorney-General's proposed initiative on co-operation with Spain about "law and order" and will he say what are his views on this initiative?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question 39 of 1990.

18 JAN 1990

NO. 39 OF 1990

ORAL

THE HON A J CANEPA

Is the Chief Minister aware of the reasons why the Attorney-General dropped charges against the Spanish customs officers and, if so, will he say what these are and whether he agrees with those reasons?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, since the matter is the subject of a motion of which the Honourable Member opposite has already given notice, I am not going to pre-empt that debate and will deal with this issue in my contribution to the motion.

SUPPLEMENTARY TO QUESTION NO. 39 OF 1990

HON A J CANEPA:

Mr Speaker, my motion does not refer to the Chief Minister in any way. My motion refers to the Attorney General.

HON CHIEF MINISTER:

Mr Speaker, I am well aware of that and I have read the motion.

HON A J CANEPA:

Mr Speaker, by refusing to answer questions of which due notice has been given, the Chief Minister is effectively also pre-empting me from following matters up in asking supplementaries on the matter. If he is not going to answer specific questions now, at this stage, is he going to be prepared, if I bring up specific issues during the course of my contribution, to answer those matters when he speaks during the debate or is he just going to avoid the issue altogether?

HON CHIEF MINISTER:

Mr Speaker, whether the Hon Member considers that I am avoiding the issue or whether there is an issue for me to avoid or not is a matter for him to decide. The position is that since I joined this House in 1972 whenever there have been questions and those questions have been followed by notice of motion, the position that was adopted by the Government of the day was that they were not going to provide members on the other side of the House with information in anticipation of a debate.

HON A J CANEPA:

That, Mr Speaker, does not happen to be true because I can give him instances of at least two motions that I recall distinctly,

brought to the House by Mr Gerald Restano, which were prefaced by a number of specific questions in the House and which were duly answered. The Hon the Chief Minister can check Hansard if he wishes.

HON CHIEF MINISTER:

Then maybe, Mr Speaker, they treated Gerald Restano differently than they did me.

HON A J CANEPA:

I think, Mr Speaker, that the Hon the Chief Minister is avoiding the issue because he is afraid to answer.

HON CHIEF MINISTER:

The Hon the Leader of the Opposition has on one occasion before accused me of being afraid and I told him to come behind and sort things out. I have however passed that stage in life so I will not give him that answer this time.

MR SPEAKER:

Next question.

18 JAN 1990

NO. 40 OF 1990

ORAL

THE HON A J CANEPA

What pressure is the Government bringing to bear on the MOD to ensure that they receive information, as promised, about the release of lands, particularly housing, in connection with the proposed Army cuts?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the matter has already been raised with the Foreign Secretary and is constantly raised with the United Kingdom Government on every possible opportunity. It will be raised with Mr Maude when he visits Gibraltar next week. It is a matter of concern to the Government that, almost a year after the announcement of the cuts, no information is available on the release of lands.

SUPPLEMENTARY TO QUESTION NO. 40 OF 1990

HON A J CANEPA:

Mr Speaker, is the Chief Minister expecting something positive from Mr Maude next week or is he just expecting Mr Maude to make excuses on behalf of MOD?

HON CHIEF MINISTER:

Mr Speaker, I am not sure what Mr Maude will say. All I can tell the Hon Member opposite is that I have asked HE the Governor to transmit to London the message that there is widespread expectations in Gibraltar that his visit here will advance the state of knowledge and that he is likely to be faced with that question not just from me but from Members of the Opposition, the Press, the Unions, the Chamber of Commerce and everybody else he meets. So he certainly will not have an excuse for saying that he has not been warned that that is what we are expecting. However I cannot guarantee what he will say.

HON CHIEF MINISTER:

Is the Chief Minister aware of the reasons for these delays? For the MOD dragging their feet? Is there any indication why this is happening?

HON CHIEF MINISTER:

Yes Mr Speaker and I think I indicated it before in answer to a previous question in this House. The situation is that the decision was linked to decisions on the increases in the Gibraltar

Regiment and in the Gibraltar Services Police to compensate for the withdrawal of the Resident Battalion. And until those decisions were taken the MOD in Gibraltar, that is to say the Army people here, could not make bids for what they wanted to keep and that there appear to be, if you like, a conflict of interests between the people who want to get rid of the land in order to get rid of the costs, the maintenance, of the buildings on that land and therefore to be able to cut even more jobs and the Services view, who argue that on security grounds or on military grounds, the amount that is kept, and the size of the force, should be bigger. Until that debate, on the size of the force is resolved, the debate on the volume of resources cannot start. I believe that the volume of resources debate started about the end of October and that the papers are not with the MOD as such but in between the different people, at the London end, that need to put their views on those papers. I am told, here, that the military, here, are as anxious to get an answer as we are although maybe the answer that they are looking for is not the answer that we are looking for. That I do not know, Mr Speaker. However I am informed that the military here are pressing as much for a decision to be taken on what they have proposed. So the stage has not yet been reached where the proposals that have gone from Gibraltar to London have been answered by London yet. It is only after that happens that presumably an agreement is reached, internally, then that will come as a proposal to us. I am hoping that, at least, there will be some advance on that position by next week. I cannot however guarantee it.

18 JAN 1990

NO. 41 OF 1990

ORAL

THE HON A J CANEPA

Has the Government now taken a decision about the future of the Gibraltarian Status Advisory Committee, and will the Chief Minister say what is the Government's policy on the Ordinance and what action does it propose to take on pending applications?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the position is the same as I explained in reply to question No. 158 of 1989.

SUPPLEMENTARY TO QUESTION NO. 41 OF 1990

HON A J CANEPA:

Is the Chief Minister aware, Mr Speaker, that there is concern and some anxiety on the part of applicants who have had their applications pending for many months and who feel a sense of frustration at not being able to air the matter, not being able to see the Chief Minister, is the Chief Minister aware of this?

HON CHIEF MINISTER:

No, Mr Speaker, I am not aware of that.

HON A J CANEPA:

Well, Mr Speaker, I can tell him that I have been approached by a number of people, and I think other of my colleagues including my former colleague on the extreme left...laughter. Let the Hansard show, Mr Speaker, that when speaking about the extreme left, I am not indicating where he stands in the political spectrum. I can assure the Hon the Chief Minister that we on the Opposition have received representations from people who have their applications pending. They genuinely feel anxious about this matter. They do not know what is happening and I think, Mr Speaker, that the Government needs to take a decision about the future of this matter. Mr Speaker, the Gibraltarian Status Ordinance has always been a delicate matter but months have gone by since this subject was last raised here and I would not like to be in a position, six months or a year from now, and get the same answer. Would the Hon the Chief Minister, please deal with it because I am not raising the matter to make political capital but out of genuine concern.

HON CHIEF MINISTER:

All I can tell the Hon Member is, because he has not asked me a question now, he asked the question before he made the statement



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and the answer to the question was that I had not heard these problems that he is talking about.

HON A J CANEPA:

Maybe he has not heard because the people that are trying to get interviews with him are not able to get beyond his Personal Assistant.

HON CHIEF MINISTER:

I doubt that, Mr Speaker, because I see a lot of people every week, on every conceivable issue, even though on many occasions there is nothing I can do other than listen to them. There is a long queue and I am not aware that anybody on that queue wants to see me about the Gibraltarian Status Ordinance. I did however give a full explanation to members opposite, in answer to Question No.158/89 and said what the position was, what the problems were in connection with the British Nationality Act of 1981 and the position has not changed since then. We are still facing the same difficulties now as we had then. Nothing has changed, Mr Speaker, we have still not come up with a solution to those problems.

18 JAN 1990

NO. 42 OF 1990

ORAL

THE HON A J CANEPA

Does the Government propose to take any steps to remedy the deteriorating service to the public which was the subject of a recent press statement by the IPMS/GGCA?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the Government is not responsible for the allegations made by IPMS/GGCA in their press statement.

SUPPLEMENTARY TO QUESTION NO. 42 OF 1990

HON A J CANEPA:

Mr Speaker, in their statement which appeared on the back page of the Gibraltar Chronicle of 5th of January, the GGCA stated, is the Chief Minister aware of the fact, "that they were trying to bring the matter to the attention of the Official Side" but and I quote "we are not getting through to them and they persist in reducing staff without producing any suitable alternative in order to maintain an effective service to public". Is the Chief Minister aware of this Mr Speaker?

HON CHIEF MINISTER:

I am aware, Mr Speaker, that a question shall not be asked of the Government as to whether statements in the press or private individuals or unofficial bodies are accurate. That is what he is asking me to answer. Is it accurate what the GGCA says in the Chronicle. I think, Mr Speaker, he should ask the GGCA not me. I have not said any of that.

MR SPEAKER:

Next question please.

NO. 43 OF 1990

THE HON P C MONTEGRIFFO

Is the Government in a position to give further details of the action it intends to take to redress the problems over manning and conditions of work being suffered by the Police and following meetings recently held with representatives of the Gibraltar Police Association?

ANSWER

THE HON THE CHIEF MINISTER

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 43 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, the indication was that by the end of January there was a chance that the Government would be in a position to give the Police Force some details. Could the Chief Minister confirm that that timescale is still one which we might all hope to work towards?

HON CHIEF MINISTER:

No, Mr Speaker, this is something which the Police Association claimed and as I have already said in answer to the allegations made by the GGCA, the Government does not answer questions on the accuracy or inaccuracy of statements made to the press by private bodies.

HON P C MONTEGRIFFO:

Mr Speaker, I am not suggesting that the Hon the Chief Minister do that. What I am suggesting is to set the framework. Does the Government accept that there is a problem over manning levels and resources in the Police Force?

HON CHIEF MINISTER:

Mr Speaker, no. What the Government accept is that every organisation believes that there ought to be more people employed and that is something that the Government is aware of. This is true of all organisations in all sections of the Government. The position is that the constitutional responsibility for the Police Force is clearly not that of the Government of Gibraltar, it is clearly stated in the Constitution and therefore when I saw the Police Association I did not see them in order to negotiate manning levels with them, I saw them as a matter of courtesy because I did not

want them to feel that other groups had access to me and were able to inform me of their worries and concerns and they could not because they were not a formally constituted union. Therefore, as far as I am concerned, we did not make any public statements on our meeting where I asked them to come and see me in order to give them an opportunity of making their views directly to me because they felt that their views were not getting through but I have made it clear to them since, and after the statements in the press had appeared, that as far as I am concerned, the fact that I have seen them does not mean that I have any commitment to do anything, other than, of course, the practice which the Government is engaged in and which is basically to reduce public spending, to reduce manning levels and to produce better value for money throughout the Public Service. Let me say, Mr Speaker, that before the Hon Member removed the "of" it read that the problem was one of "over manning" in the service and, of course, if that had been the case then all I can say is that the Hon Member opposite would then have been the only "PC" that thought that the Police Force was "over-manned". Because all the other PC's think it is "under-manned".

HON P C MONTEGRIFFO:

Mr Speaker, do I assume by that answer that the Chief Minister believes that he will see people even if he is not responsible for redressing their problems? I am just interested, Mr Speaker that he is prepared to see the Police Association who have given to understand that the problem is going to be dealt with but the Chief Minister now mentions in this House that he feels he is not responsible for that area. All I am trying to say is that if there is legitimate redress to whom should those representations be made, in the Chief Minister's view?

HON CHIEF MINISTER:

The Police Association has already been told, in writing, to whom they should address themselves, Mr Speaker. It is not up to me to tell the Member opposite here, in public, what I have said in private and in writing to the Police Association.

HON P C MONTEGRIFFO:

I assume it is to the Governor, Mr Speaker.

HON CHIEF MINISTER:

The Hon Member can speculate. All I am telling him is that we, as a Government, are not responsible, either in this House or outside, for the Police or for its manning levels. I would also add, Mr Speaker, that no Government, before, has ever been. In fact as a general practice it has always been the Attorney-General who has answered questions and spoken on the Police. As far as I am concerned, I have already said

in answer to a question from the Leader of the Opposition, that I see lots of people every week even though in many cases the people that I see I can do nothing for. I do not however want them to complain to Members opposite that they are trying to see me but cannot reach me. That, however, does not mean that I am accepting responsibility for something which is not my responsibility.

HON A J CANEPA:

Mr Speaker, the Chief Minister is confirming, is he not, in the House this afternoon, that the answer to the representations made at the meeting between himself and the Police Association is a lemon. That they are getting nothing from him. Is that correct, Mr Speaker?

HON CHIEF MINISTER:

I do not know, Mr Speaker, whether it is a lemon, a basket of lemons or whether the Hon Member now thinks that the percentage of support that he has, has gone up by 0.1%, and which represents the lemons that the Police are going to put in the AACR basket when they come to vote. I do not know whether that is what the Hon Member opposite is trying to achieve? All I am saying is that when the Police Association came to see me, and spent five hours with me, I gave them a detailed explanation of the view of the Government on all the issues that they raised with me. I however did it because I chose to and because I wanted to demonstrate to them that we were prepared to listen to their problems not because I had an obligation ...

HON A J CANEPA:

That is not correct, Mr Speaker.

HON CHIEF MINISTER:

Well, Mr Speaker, that is the view of the Government.

HON A J CANEPA:

The Hon the Chief Minister is wrong, Mr Speaker.

HON CHIEF MINISTER:

That is a matter of judgement, Mr Speaker.

HON A J CANEPA:

If the Hon the Chief Minister will give way I will explain to him why, Mr Speaker.

HON CHIEF MINISTER:

Mr Speaker, the Hon the Leader of the Opposition is not here to explain things to me ...

HON A J CANEPA:

If he does not give way now, Mr Speaker, I will raise the matter on the adjournment because he is not telling the truth ...

MR SPEAKER:

Order, order. That is not parliamentary language and I will ask the Hon the Leader of the Opposition to withdraw those words.

HON A J CANEPA:

Mr Speaker, the Hon the Chief Minister is being economical with the truth insofar as the presentation of the Estimates of Expenditure is concerned.

MR SPEAKER:

Will the Hon Leader of the Opposition please withdraw the insinuation of lie.

HON A J CANEPA:

Mr Speaker, I withdraw my first remark but not the second "that he is being economical with the truth". That, Mr Speaker, is parliamentary language.

HON CHIEF MINISTER:

I have not given way, Mr Speaker. The Hon Member is entitled, at Question time, to ask me questions in order to obtain information but not go give me lectures. If the Hon Leader of the Opposition wishes to give lectures he should go back to teaching, Mr Speaker. The position of the Government of Gibraltar is that we are prepared, and have been prepared, to listen to the problems that the Police Association wished to bring to our notice. When subsequent to that meeting they made certain statements to the press, in which there were deadlines and industrial measures mentioned, we wrote to them and brought to their attention that the meeting with me was not a "negotiation" between them and me. Because that is not the nature of the constitutional relationship between the Police and me. They do not come to me to negotiate. There are avenues open to them, which are the avenues that they can use if they wish to pursue the matter. The fact that I had been willing to spend five hours and listen to their problems does not mean that I am now in a position where I

can be given a deadline and have to produce something. Now, Mr Speaker, if that answer is considered by the Hon the Leader of the Opposition to be a lemon or a melon or any other kind of fruit, that is a matter for him. I do not care what the Hon Member thinks.

HON A J CANEPA:

Mr Speaker, is it not a fact that if the Commissioner of Police is seeking an increase in the establishment of the Force he would, in the first place, or at least he ought, to put the matter to the Deputy Governor? If the Deputy Governor were to support that view then a paper should then be produced for Ministers to consider. And if increases in manning levels are involved, is it not a fact that it would be a matter for Ministers to decide whether they are prepared to bring to the House of Assembly an Appropriation. In other words, to seek funds from the House of Assembly in order to be able to give effect to an increase in manning levels? Therefore the upshot of the whole, in practice, is in fact that it is Ministers, ultimately, who can give effect to an increase in manning levels or not as far as the Police are concerned?

HON CHIEF MINISTER:

Mr Speaker, if the Commissioner of Police wants to follow that procedure then that is a matter for the Commissioner to follow. It is not a matter for the Police Association to come to me, and put to me, a claim over manning levels. The procedure which the Hon Member has mentioned is not what has happened. Therefore what has happened is not something that I have to do but that I chose to do. And since I am not satisfied with the result of that meeting, from subsequent events, I am not going to put myself in the invidious position when I do not have to, of being willing to listen and then be held responsible for decisions that are not mine to take because the procedure that the Hon Member has mentioned, which is a procedure that has been there since time immemorial, is not the procedure that has taken place. And at the end of the day the policy of the Government is very clear anyway. I have already told the Hon Member opposite, the initiator of the question, that the policy of the Government in looking at the Police and in other areas, is to cut costs and reduce manning. That is the policy of the Government of Gibraltar.

HON A J CANEPA:

Therefore, Mr Speaker, is it not a logical consequence of that, that to do the opposite, namely, to increase manning levels, which means increased costs, is a matter for Ministers to decide? Because only they can ask the House of Assembly to vote the necessary funds and nobody else, unless the Governor of Gibraltar is expected, in the exercise of whatever other powers he has under the Constitution, to impose the matter and which would lead to a constitutional crisis?

HON CHIEF MINISTER:

Mr Speaker, I will tell the Hon Member for the third time, the position is that I do not hold regular meetings with all the representatives of all the different groups employed by the Government in order to discuss manning levels. That is not my job. And if the Commissioner of Police comes to the Government and says "look with the men that I have I can only do X and Y but I cannot do Z" then the same as if the Collector of Customs or the Head of the Fire Brigade or anybody else comes to the Government and says, as a Manager, "I have a problem, these are the resources and these are the requirements which you want me to cover with the resources available", then we decide on balance, since we have limited resources in Gibraltar, whether we should devote more resources or we should reduce commitments of what we want them to do. It is not a question, Mr Speaker, of the Police coming along and saying "we want forty extra Policemen" and I saying "OK you can have 39" and then going into a "Zoco chico" type of situation between me and the Police Association. That is not the way to do business and therefore it is not going to be done like that. If the Hon Member does not agree with what I am saying then he had sixteen years to introduce the system he seems to be advocating now and he never did it.

HON A J CANEPA:

Mr Speaker, the Hon Chief Minister is avoiding my question. Is it not a fact that manning levels generally, not just for the Police but for any Department, cannot be increased unless the Government brings the necessary Appropriation to this House, since Hon Members of the Opposition are not able to ask the House to increase expenditure, it is only the Government that can bring in measures to increase expenditure and therefore it is ultimately Ministers who do that regardless of what the constitutional position is with any Government Department? Be it the Police, the Fire Brigade or what have you, only Ministers can bring an appropriation measure to the House of Assembly. Will the Hon the Chief Minister answer that question?

HON CHIEF MINISTER:

Mr Speaker, Ministers are the only ones who bring Appropriation Bills to the House of Assembly. However, Appropriation Bills are not brought to the House of Assembly as a result of negotiations between Associations and Ministers. What there has been, Mr Speaker, is a meeting between the Police Association and me and what the Hon Member wants me to say is that I could have agreed with the Police Association at the meeting with them as to what the manning levels should be and have brought a Bill to this House to appropriate the necessary funds. That, Mr Speaker, would have been a totally irresponsible thing to do and is totally irresponsible of the Hon Member to suggest that it can be done. I do not recall



anything similar having happened before, either during his brief period as Chief Minister or the very long period of his predecessor, who did not let him through, was there, of a meeting having been held with the Police Association and extra bodies recruited as a result of the negotiations between the Chief Minister and the Policemen. To my knowledge that has never happened before. Why is it that the Hon Member wishes me to do it?

HON A J CANEPA:

Mr Speaker, the ultimate result is exactly the same because to whoever they make their representations through, to the Deputy Governor, to what used to be the Establishment Officer, the ultimate, the net result will be the same, if Ministers do not approve the measure they will not be able to increase manning levels.

MR SPEAKER:

I think we are now talking at cross purposes.

HON CHIEF MINISTER:

I need to answer that, Mr Speaker. It is not a question that the ultimate decision is a question of coming to this House and voting the funds with the support of the Government. Of course, whoever wanted to increase, if for example, the Governor comes tomorrow and says that he wishes to double the strength of the Police Force and we are not prepared to support it the funds would not be voted. There is no question about that, Mr Speaker. But that ultimate decision is reached following a procedure and that procedure is not the procedure to which the question refers. Therefore if that is what is wanted then the procedure that is there will have to be followed. And it may never get to Ministers having to take a decision because it could be killed well before it gets to Ministers.

MR SPEAKER:

I think we will leave the matter at that. Next question.

THE HON A J CANEPA

Did the apology which the Chief Minister received from the Chairman of the British Gibraltar Group include assurances that future expressions of views about Gibraltar by the Group would reflect the interests of the people of Gibraltar as expressed by their elected representatives?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, I am not prepared to answer in this House for what Mr Colvin may or may not say in the future. I imagine that what Mr Colvin told me is the same as what he told the Leader of the Opposition when they met. If he is not satisfied with Mr Colvin's apology he should take it up with him.

HON A J CANEPA:

Mr Speaker, I did not receive an apology from Mr Colvin. It is public knowledge that the Hon the Chief Minister received an apology from Mr Colvin. What I am asking the Chief Minister is whether included in the apology that he received was the point made clear that Mr Colvin undertook not to repeat what he had done that had so irked Members of this House.

HON CHIEF MINISTER:

Well, Mr Speaker, I do not know what Mr Colvin said to the Leader of the Opposition when they met. I have not said that Mr Colvin gave me an apology. I know that it was said in the news and I am not sure whether the source was Mr Colvin himself. But certainly I imagine that the conversation I had with Mr Colvin reflected Mr Colvin's regret for the way he handled the situation which already he tried to excuse in public, in an interview on television, by saying that there had not been time to consult Members of the House. I am certainly not prepared, and I am not in the habit, of having meetings with people and then making public statements as to the contents of that conversation. However if Mr Colvin wants to make public what he said to me that is Mr Colvin's prerogative but it is not, as far as I am concerned, the proper way of conducting oneself of my saying here what Mr Colvin said to me. All I can tell the Hon Member is that I have to assume that he was told by Mr Colvin the same as I was told by Mr Colvin. That was why he regretted what had happened and how he saw his behaviour being conducted in the future. I am sorry to hear that Mr Colvin did not include him in the apology because as far as I am concerned the motion which was transmitted to Mr Colvin was the motion moved by the Hon Member opposite and supported by us without amendment.

We transmitted the views that he had put to us.

HON A J CANEPA:

Let me make it clear that I do not care, quite honestly, whether Mr Colvin apologises to me or not. That leaves me cold quite honestly. It is not a case of what it is alleged that the media said about Mr Colvin because I heard myself Mr Colvin both over radio and I saw him on television refer to the apology. The Chief Minister, Mr Speaker, supported a motion brought to this House by me which in fact dealt with the point that the British/Gibraltar Group should not be making statements on behalf of the people of Gibraltar which were not in accordance with our views and did not the Chief Minister support that motion and, if so, and if he was given an apology is it not logical to assume that he should have been satisfied that the basis on which that apology was made would be that there would not be a repetition of these events. Is that not a reasonable supposition to make?

HON CHIEF MINISTER:

It is a supposition, Mr Speaker, on the part of the Hon the Leader of the Opposition and I am not sure that I am here to answer how reasonable or unreasonable the suppositions of the Hon Member are. I am here to provide facts, Mr Speaker. And the facts are that I cannot guarantee Mr Colvin's future behaviour and since I cannot guarantee I am not prepared to guarantee. I supported the motion because I thought Mr Colvin was wrong in acting in the way that he did. I however have no control over Mr Colvin or what he might say in future. Therefore I am not going to say that I have now got a guarantee from Mr Colvin that this will not happen again and I am now able to guarantee to the House that it will not happen again. I have no such guarantee and cannot vouch that it will not happen again. Mr Speaker, I cannot accept the explanation as to why it happened the last time. Obviously Mr Colvin realises that he upset a lot of people by writing the letter that he wrote but let us be clear that that does not mean that he does not think in the way the letter reflected that he thought at the time. Because Mr Colvin has not changed his views and he is still the same person and he still holds the same views. So let us not kid ourselves, Mr Speaker.

HON A J CANEPA:

I am glad, Mr Speaker, that the Hon the Chief Minister has made his latter remarks. I think the Hon Chief Minister was initially evading the question. I do not expect the Chief Minister to control Mr Colvin and we do not want to control Mr Colvin. But precisely, I think, the proof of that is the fact that he then made statements to the media in which he insisted, Mr Colvin insisted did he not? In

statements that he made to the media on the totally independent role of the Group and in the light of that statement and based on what the Chief Minister has said it seems to me, Mr Speaker, that all the public statements about an apology, in reality there has not been an apology made and there has been no indication that there will be no repetition of what has happened. In fact I go further, Mr Speaker, and I predict that we shall be falling out with Mr Colvin sooner or later on that or on some other issue. Does the Hon the Chief Minister agree with my views?

HON CHIEF MINISTER:

Yes, Mr Speaker, I think it may well be that we will fall out with Mr Colvin again. Because as I have said already Mr Colvin has not come back saying "I am sorry I was wrong". Mr Colvin has come back saying "I am sorry I did it". Which are two totally different things, Mr Colvin believes that the views that he put are not so different from our views. I believe that the views that he put are fundamentally different from our views. In fact I am not just saying this here. I have said that in the House of Commons with Mr Colvin sitting beside me and to the whole of the Group. However at the end of the day the point that I have to make is that I do not want to give the impression here that I have now received assurances from Mr Colvin that will guarantee that there will be no repetition. Because there have not been such assurances. All he has told me is that he is sorry that it happened.

HON A J CANEPA:

I think, Mr Speaker, that it was a wise move on my part to table this specific question and to take the line of questioning that I have taken in supplementaries because we are not out of the woods with Mr Colvin by any means on this matter.

MR SPEAKER:

It looks as if the House is still united on that issue. Next question.

18 JAN 1990

NO. 45 OF 1990

ORAL

THE HON P C MONTEGRIFFO

Will the Government confirm its attitude in relation to any proposal for the use of ID cards for cross frontier traffic for Spanish and Gibraltar nationals?

ANSWER

THE HON THE CHIEF MINISTER

Mr. Speaker, no such proposals are under consideration.

SUPPLEMENTARY TO QUESTION NO. 45 OF 1990

HON P C MONTEGRIFFO:

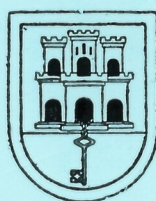
Mr Speaker, would the Government's attitude be one of flexibility in that regard bearing in mind the benefits of such a proposal? Or is it Government's belief that there are dangers implicit in accepting such a proposal?

HON CHIEF MINISTER:

No Mr Speaker, the position is that it is not an issue which is under consideration by the Government. Nobody has made any such proposals and we are not studying the matter. I am not here to speculate about something that is not happening. If and when the issue comes up then we will devote attention to it. At the moment we are not even thinking about it.

**GIBRALTAR**

**HOUSE OF ASSEMBLY**



**QUESTIONS AND ANSWERS**

26TH APRIL, 1990

NO. 46 TO NO. 89

26.4.90

NO. 46 OF 1990

ORAL

THE HON A J CANEPA

When will the Government implement the commitment which they made in their electoral manifesto to provide facilities and specialist care for those needing to break free of the drug habit?

ANSWER

THE HON THE MINISTER FOR EDUCATION, CULTURE  
AND YOUTH AFFAIRS

Answered together with Question No. 47 of 1990.

THE HON. P. C. MONTEGRIFFO

Will Government confirm what type of counselling service it intends to introduce for the victims of drug abuse in Gibraltar?

ANSWERTHE HON. THE MINISTER FOR EDUCATION, CULTURE  
AND YOUTH AFFAIRS

Mr Speaker, it is the Government's intention to create a counselling service aimed specifically at young people under the aegis of the Youth Office. Advice on drug related problems will be included in the terms of reference of this service. This will assist Government in determining the extent to which facilities of care may be needed.

SUPPLEMENTARY TO QUESTIONS NO. 46 AND NO. 47 OF 1990

HON A J CANEPA:

Mr Speaker, will the Minister say when this counselling service is to be implemented?

HON J L MOSS:

Mr Speaker, within this calendar year.

HON A J CANEPA:

Thank you, Mr Speaker, but can the Hon Minister give some more details? Why the Youth Service? To what extent will there be liaison with the Health Authority?

HON J L MOSS:

Mr Speaker, the intention is to have liaison with every Government Department and also extra governmental agencies who may have knowledge or interest in the problem.

HON A J CANEPA:

Mr Speaker, does the Hon Member have any plans with regard to the Standing Committee of which the Minister for Medical Services used to be the Chairman? Has that Committee been disbanded or will it continue to work at the same time as the counselling service?



HON J L MOSS:

Mr Speaker, is the Hon Leader of the Opposition referring to the Advisory Council on the Misuse of Drugs?

HON A J CANEPA:

Yes, Mr Speaker.

HON J L MOSS:

Mr Speaker, I happen to Chair that body and have done so for the past two years. Yes, it is still going to be active.

HON P C MONTEGRIFFO:

Mr Speaker, is the Government in possession of figures which will allow them to assess the extent of counselling and/or rehabilitation service that might be required?

HON J L MOSS:

Mr Speaker, the only figures available to the Government at the moment are those provided by the Police and by Customs. I however think, and the Hon Member will no doubt agree, that these may not necessarily reflect the actual nature of the problem.

HON P C MONTEGRIFFO:

Mr Speaker, does the Hon Minister see any role for voluntary groups in this counselling service like the Drug Rehabilitation United Group?

HON J L MOSS:

Mr Speaker, as I mentioned in my reply to the Hon the Leader of the Opposition, it will be a service that will be in contact not only with Government Agencies but also voluntary groups who may have an interest in the problem.

HON P C MONTEGRIFFO:

Mr Speaker, is the Minister of the view that the envisaged counselling service will require specific premises to undertake that service or will they undertake the service from the Youth Service premises?

HON J L MOSS:

Initially, Mr Speaker, the service will be obviously conducted from the Youth Office but, I think, that it is important to note that this service may be in some ways peripatetic with officers having to work in the field rather than staying in an office waiting for people who may have a problem to go there and see them.

HON P C MONTEGRIFFO:

Mr Speaker, I know that the view has been expressed by a voluntary organisation, and this is why I am asking, that premises were helpful and whilst I do not have the expertise to know to what degree they are necessary but I imagine that the Minister will take this view into account.

HON J L MOSS:

Mr Speaker, I think perhaps what is happening is that we are confusing the issue slightly. Premises have been mentioned before with rehabilitation, I believe. What we are doing now is trying to assess the problem, see its extent and see whether any other kind of facilities are needed. Once that decision is taken and if it is a positive decision then, I think, would be the time to look at it further.

HON A J CANEPA:

Mr Speaker, one other question. Will the Minister keep in mind the need to publicise the availability of these services, particularly because we are dealing with young people? The service is meant for them and if parents and other relatives become aware of the availability of these services and the youngsters are themselves reluctant to take advantage of this service, then relatives can approach the Youth Officers and they can go and talk to them.

HON J L MOSS:

Yes, Mr Speaker, we will, of course, be publicising the information service and we will also, as I have already mentioned, be making sure that it is active in the field. What we will not be able to do, of course, and I am sure this is understood by the Opposition, is to reveal any confidential information which might emerge as a result of the investigation by this service.

HON LT-COL E M BRITTO:

Mr Speaker, do I get the impression that the service will be aimed almost exclusively at prevention initially and counselling rather than, say, do this fifty/fifty with rehabilitation? Is rehabilitation, Mr Speaker, something to be done in the future or right at the beginning?

HON J L MOSS:

Mr Speaker, we are giving this service as broad terms of reference as possible. As I see it, and I think I have already mentioned this before, until we determine what is the extent of the problem it would be completely premature to decide whether the rehabilitation facilities or services are required or otherwise. However, once we have the information available we will be in a position to take a decision based on facts and not on suppositions.

HON LT-COL E M BRITTO:

But the Minister, Mr Speaker, is confirming that rehabilitation will be given the same priority as prevention from the word go? Not a secondary priority at the beginning?

HON J L MOSS:

Mr Speaker, the Minister is confirming that we are starting to launch an information service which, once it has all the information possible gleamed, will decide whether rehabilitation is required or what form of rehabilitation or assistance is required for people with problems.

MR SPEAKER:

Next question.

THE HON G MASCARENHAS

Now that the poll tax is in force in the UK, will Government undertake to assist Gibraltarian students in paying this tax?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE  
AND YOUTH AFFAIRS

Mr Speaker, after the level of poll tax was set in the UK, Government took steps to safeguard the position of Gibraltarian students and a flat rate allowance has been introduced to assist them.

SUPPLEMENTARY TO QUESTION NO. 48 OF 1990

HON G MASCARENHAS:

Mr Speaker, can the Hon Minister say what the flat rate will be?

HON J L MOSS:

The flat rate, Mr Speaker, will be £100 per student.

HON A J CANEPA:

Mr Speaker, the introduction of this flat rate of £100 per student was that not related to increases in maintenance allowances that took place in the United Kingdom?

HON J L MOSS:

No, Mr Speaker, we are talking now about the poll tax and this allowance was introduced specifically to assist students with the poll tax.

HON A J CANEPA:

As from when, Mr Speaker?

HON J L MOSS:

Mr Speaker, the allowance will start, strictly speaking, from the 1st September, 1990, but in order to assist students in the interim period, a payment of £25 was made to them immediately.

HON A J CANEPA:

So, Mr Speaker, this is a new allowance that is still to be introduced. It has nothing to do with increases in student grants that have taken place up to the present?

HON J L MOSS:

That is correct, Mr Speaker.

HON A J CANEPA:

We welcome the measure, Mr Speaker, and are very glad that the Government has responded in this positive way, more so having regard to the negative stand taken on a previous occasion when we raised the matter.

HON J L MOSS:

Mr Speaker, I thank the Hon the Leader of the Opposition for his compliments but I cannot really applaud his lack of memory.

HON P C MONTEGRIFFO:

Mr Speaker, the Minister will correct me if I do not have the full facts. Does the level of poll tax not vary between the different Councils and in some cases quite a large disproportion exists? As we all know there are huge disparities between them. There is the flat rate which the Minister has announced, the best way of dealing with this bearing in mind that each student will be paying a different rate?

HON J L MOSS:

Mr Speaker, in administrative terms, yes, because the allowance has been set looking at the maximum and not at the minimum. So what will happen in effect is that some students will actually make money out of this. If the Hon Member wishes me to try and find out a way of doing them out of this money I will listen to him.

HON P C MONTEGRIFFO:

Mr Speaker, I understand that the Government's budget is extremely tight and I would not like them to dissipate sources. Quite frankly, I would like to treat all students equally and I do not see why one student should benefit over another simply because he happens to find himself in an area that has a lower poll tax. I only hope that now that the Government is in a generous mood they extend this to everyone.

MR SPEAKER:

Next question.

THE HON G MASCARENHAS

What plans are there to restructure the Department of Education?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE  
AND YOUTH AFFAIRS

Mr Speaker, it is not the policy of Government to make public statements about plans for the re-structure of Departments. This is for discussion between management and staff.

SUPPLEMENTARY TO QUESTION NO. 49 OF 1990

HON G MASCARENHAS

Mr Speaker, in view of the Minister's statement will the Minister state whether any posts in the Department of Education have been abolished to date?

HON J I MOSS

Mr Speaker, to date no posts have been abolished. But I have to repeat that it is not our policy to make statements in the House about restructures.

HON G MASCARENHAS

Mr Speaker, will the Hon Minister confirm whether the post of Warden of the Teacher's Centre will be abolished in the near future.

HON J I MOSS

Mr Speaker, I cannot confirm that.

HON A J CANEPA

Mr Speaker, is it not a fact that the Warden of the Teacher's Centre has only a few more days in his employment? Is not his post being abolished from the end of April? Can the Hon Minister confirm this?

HON J I MOSS

Mr Speaker, that is another question which I am afraid that I cannot confirm.

HON G MASCARENHAS

Mr Speaker, will the Hon Minister confirm or deny whether the position of the post of Education Officer, which has not been filled for a matter of two years, is to be abolished?

2.

HON J I MOSS

Mr Speaker, this might surprise Members but I cannot confirm that either.

HON G MASCARENHAS

Mr Speaker, does that also apply to the post of Assistant Education Officer?

HON J I MOSS

Mr Speaker, if the Hon Member wishes to give me a list of all the posts in the Education Department my answer will be exactly the same "I cannot confirm it".

MR SPEAKER

Next Question.

THE HON DR R G VALARINO

Having regard to the fact that the Employment Survey Report for April 1989 has not yet been published, will the Government explain why the publication of the Survey is so seriously delayed?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, the Statistics Office has been having problems with its computer since 1988. Analyses are done manually and the April 1988 Survey is nearing completion and will be published shortly.

SUPPLEMENTARY TO QUESTION NO. 50 OF 1990

HON A J CANEPA:

Mr Speaker, will it be published before the House resumes its activities to debate the Estimates? Because it is relevant and although I am prepared to be as helpful as I can, we also need the information. Even if the Government is not able to publish the Employment Survey by then will they undertake early on in the debate on the Estimates, perhaps the Chief Minister himself can provide information with regard to employment levels?

HON CHIEF MINISTER:

Mr Speaker, we have not yet even seen the first draft of the Report, as a Government. I am told by the Statistics Office that it is very nearly completed, however, if this does not materialise I shall get the office to extract information which I will then make available to the Opposition

HON A J CANEPA:

Mr Speaker, I am sure the Hon Chief Minister is aware that we are running a year behind schedule whilst when we were in Government the policy was to be one Survey only in arrears, but not two as is now the case.

HON CHIEF MINISTER:

I am aware of the situation, Mr Speaker. We do not have the information ourselves.

MR SPEAKER:

Next question.



THE HON DR R G VALARINO

Will Government give details about the restructuring of the Department of Labour and Social Security, including the Family Care Unit, that has been effected to date and explain what further plans they may have with regards to the future concerning restructuring of this Department?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, there has not been any restructure beyond what has been announced and is public knowledge.

SUPPLEMENTARY TO QUESTION NO. 51 OF 1990

HON DR R G VALARINO:

Mr Speaker, that very brief answer to my question does not do justice to the Minister who told members of his staff, who were worried about the restructuring effects, to listen to the radio on Thursday morning. Mr Speaker, it is a simple enough question. What restructuring has taken place already? This is to some extent public knowledge but what I would really like to deal with is, is there any restructuring envisaged in the future as regards both the administration section and especially the Family Care Unit of the Department?

HON R MOR:

Well, Mr Speaker, the answer to the Hon Member's question is very much the same as my colleague said before, that the question of restructuring of a Department is something to be dealt with between the staff concerned and the Government. Mr Speaker, apart from what I have already said before, there is very little to add and anyway there has not been any restructuring beyond what has already been announced and is public knowledge.

HON DR R G VALARINO:

Mr Speaker, has the Hon Minister held meetings with the members of his Department who are concerned and has he explained the position to them and are they in agreement with the type of restructuring that it is intended to take place?

HON R MOR:

Mr Speaker, it is not the Minister who discusses with staff questions on restructures. It is the Personnel Department who handles these matters with the staff side.

HON A J CANEPA:

Mr Speaker, having regard to statements made by the Chief Minister, is the Minister for Labour and Social Security able to say whether the staff of his Department figures amongst the 200 that are going to remain as part of the Civil Service or the 400 that are going to be employed elsewhere?

HON CHIEF MINISTER:

I am sure that the Hon Member opposite must know that the Civil Service interchangeability has not changed since we took office from what occurred when he was in Government. Therefore people who work in the DLSS today may well be working in any other Department tomorrow. The figures that I mentioned referred to the Civil Service as a whole and have no relevance to any particular Department.

MR SPEAKER:

Next question.

THE HON DR R G VAIARINO

Will the government give details as to the latest position regarding the building of a new Occupational Therapy Centre, including a residential home for the handicapped?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, the architectural design and structural consultant's work including site exploration have now been completed and arrangements are in hand to put into place the necessary contract for the works.

SUPPLEMENTARY TO QUESTION NO. 52 OF 1990

HON DR R G VAIARINO:

Mr Speaker, when are the works expected to start and is there any chance that they will be completed in this financial year? I note, Mr Speaker, that in Head 104 an amount of £100,000 was earmarked for the last financial year which ended on the 31st March, 1990, of which, I think, £15,000 was spent probably on the work which the Hon Minister has just mentioned. Has the Minister any idea, Mr Speaker, when the work will commence? Because this is a matter very close to the heart of people who require this type of Centre and should therefore be a priority matter as far as the Government is concerned.

HON M A FEETHAM:

Mr Speaker, considering that this project has been on the cards for a number of years and we have only been in office two years and have reached the stage when we are ready to put out contracts for its construction, I would say that the time taken should be very welcome to the Society for the Handicapped since it is a major step forward in their aspirations. I am hoping, Mr Speaker, like everything else that we undertake to complete it as quickly as possible.

HON A J CANEPA:

Mr Speaker, is the Minister confirming that the Residential Home for the Handicapped forms part of the project?

HON M A FEETHAM:

Mr Speaker, as the Hon Member opposite is aware that was not included in the project that was being earmarked by the previous administration. However, we are, in fact, including the residential home for the handicapped as part of the project but that aspect of it may be completed in two stages and not straightaway.

HON A J CANEPA:

Mr Speaker, is the Hon Member able to give some details as to what is envisaged, for how many handicapped will it cater for?

HON M A FEETHAM:

Mr Speaker, it is projected to cater for the existing numbers and for some future figures given to us by the Society and the Education Department. However, I cannot recall the exact figure.

HON A J CANEPA:

Mr Speaker, but the works that are being put out to contract in the first phase are purely for the Therapy Centre and then a second contract? Or will it form part of the first?

HON M A FEETHAM:

Mr Speaker, it will include the Therapy Centre and also part of the Residential Home. It will have the capacity for further increase in numbers.

HON DR R G VALARINO:

Will the site remain as previously, Mr Speaker?

HON M A FEETHAM:

Yes, Mr Speaker. The site is the one which was previously agreed. This has been done in consultation with the Society and the Laguna Tenants Association. The site is the playground opposite St Martin's School and the playground has been reprovided at the Adventure Playground. It has been reached in consultation with all interested parties including tenants, let me make that quite clear.

HON DR R G VALARINO:

Has the Chairman of the Society been appraised of the situation, Mr Speaker, because I have had meetings with several parents and they appeared ignorant of the situation.

HON M A FEETHAM:

I am sure, Mr Speaker, knowing who the Chairman is, Mr Julio Pons, he does not need to be appraised, he just turns up outside my door practically every other day.

MR SPEAKER:

Next question.

26.4.90

NO. 53 OF 1990

ORAL

THE HON M K FEATHERSTONE

How many persons attended the Health Centre in the period April 1988 to March 1989 and April 1989 to March 1990?

ANSWER

THE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, from April 1988 to March 1989 there were 77,677 attendances. From April 1989 to March 1990 there were 77,409 attendances.

SUPPLEMENTARY QUESTION NO. 53 OF 1990

HON J E PILCHER:

Mr Speaker, under the GSLP Government people are even healthier!

HON M K FEATHERSTONE:

Mr Speaker, has the number of doctors decreased at the Health Centre recently?

HON MISS M I MONTEGRIFFO:

On the contrary, Mr Speaker, since we came into Government the number of doctors has increased.

MR SPEAKER:

Next question.

THE HON M K FEATHERSTONE

What was the total cost of prescriptions issued by the Health Centre during the years April 1988 to March 1989 and April 1989 to March 1990?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, the final figure for the year ending March 1989 is £1,261,737.05. The final figure for the year ending this March is not yet available.

SUPPLEMENTARY TO QUESTION NO. 54 OF 1990

HON M K FEATHERSTONE:

Mr Speaker, those figures used to be given to me by the Minister on a quarterly basis. Is there any reason why she has desisted from so doing?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I recollect very clearly that at the last meeting of the House I explained to the Hon Member opposite that I would provide the figures once they had been verified. This is what I have just done.

HON M K FEATHERSTONE:

Mr Speaker, is the cost of prescriptions going up in proportion to the level of inflation or is it at a higher rate than inflation?

HON MISS M I MONTEGRIFFO:

I can only answer for previous years because I have the figures. But I can tell the Hon Member that we expect medicines to go up in comparison with the inflation rate.

HON M K FEATHERSTONE:

Mr Speaker, this is a great improvement because previously it was going up at the rate of 20% whereas inflation was up only 4% or 5%. Is there any reason for this?

HON MISS M I MONTEGRIFFO:

Mr Speaker, what I am trying to tell the Hon Member is that when he was in Government, in 1986/87 there was an increase of 27% and then in 1988/89, when we were in Government, there was an increase of 14% which although lower is still higher than inflation. I can however not provide him at present with actual figures.

HON M K FEATHERSTONE:

We shall wait and see, Mr Speaker.

MR SPEAKER:

Next question.



THE HON M K FEATHERSTONE

How many patients were sent to the UK for treatment in the periods April 1988 to March 1989 and April 1989 to March 1990, and at what cost?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, the number of patients sent to UK for treatment from April 1988 to March 1989 was 258 and the cost was £455,017.01. 303 patients were sent in the period April 1989 to March 1990 but the final cost for the year ending this March is not yet available.

SUPPLEMENTARY TO QUESTION NO. 55 OF 1990

HON M K FEATHERSTONE:

Will the Hon Minister confirm, Mr Speaker, the number of patients being sent? Because they appear to be on the increase.

HON MISS M I MONTEGRIFFO:

Mr Speaker, I cannot really confirm that because some of the patients could be referrals. I am sure that when the Hon Member was a Minister he must have known that some of the patients sent at the time were on referral basis. Although it might still be the case that there is an increase, yes.

HON A J CANEPA:

I take it, Mr Speaker, that the cost includes passages, allowances and other transport costs. Have the levels of these maintenance allowances been increased to take account of inflation within the last two years?

HON MISS M I MONTEGRIFFO:

Mr Speaker, we increased these allowances, and I announced them publicly during my television broadcast, by 50% from 1st January, 1990.

HON A J CANEPA:

And the formula, Mr Speaker, for assessing the level of maintenance, has it remained broadly the same as previously?

HON MISS M I MONTEGRIFFO:

Yes, Mr Speaker.

HON A J CANEPA:

Thank you.

MR SPEAKER:

Next question.

THE HON M K FEATHERSTONE

Why did the Gibraltar Health Authority not renew the contract of the Pathologist?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, it was decided not to renew the contract of the Pathologist, which terminated in November, 1989, and the Government does not make public statements about the reasons for not renewing the contract for any specific contract officer.

SUPPLEMENTARY TO QUESTION NO. 56 OF 1990

HON M K FEATHERSTONE:

Mr Speaker, was it not the normal practice where a person in the employment of the Gibraltar Health Authority had given good service to renew their contract under normal conditions?

HON MISS M I MONTEGRIFFO:

Well, Mr Speaker, as I wrote to the Hon Member, it is the prerogative of the Government once there is a termination of a contract, to decide whether it wishes to renew the contract or not. I have already informed the Hon Member, in writing, that it is a matter of fundamental policy for the Government not to have to give reasons, in public, as to why it should or not wish to renew a contract. The Hon Member is aware of this.

HON M K FEATHERSTONE:

Mr Speaker, was one of the reasons that the Pathologist had requested slightly improved conditions of service?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I have already told the Hon Member that it is the Government's prerogative not to give any reasons why they might or might not wish to renew a contract. That is my answer, Mr Speaker.

HON A J CANEPA:

Mr Speaker, does the Hon Minister accept that the person in question is unusually well qualified professionally, and that she is very highly thought of by everyone coming into contact with her and that it is going to be very difficult to replace her by someone with the same level of expertise?

HON MISS M I MONTEGRIFFO:

No, Mr Speaker, I do not accept that.

HON P C MONTEGRIFFO:

Mr Speaker, who decided that the contract should be terminated, the Government or the Gibraltar Health Authority?

HON MISS M I MONTEGRIFFO:

The Gibraltar Health Authority.

HON P C MONTEGRIFFO:

Mr Speaker, I thought I just heard the Hon Minister say that it is the Government's prerogative not to give details about termination of contracts. I do not quite follow, Mr Speaker, but then I am accused by Hon Members opposite of being slow. Either the Government is saying "it does not give details because it has a prerogative to terminate a contract" or "it is the Gibraltar Health Authority" and if it is the latter the Hon Minister should, in that case, not be giving an answer at all to this question. What is the Hon Minister saying, Mr Speaker?

HON MISS M I MONTEGRIFFO:

Mr Speaker, we are the Government and the Hon Member is asking the Government and we, the Government, are saying that we do not have to give reasons for terminating a contract.

HON P C MONTEGRIFFO:

Mr Speaker, the Hon Minister has just informed me that it is the Gibraltar Health Authority that has terminated the contract and she has said in the same breath that it is the Government's prerogative when it terminates a contract not to have to give a reason. What I would like to know, Mr Speaker, is if Government has terminated the contract the decision has not been taken by the GHA. On

the other hand, if the GHA has terminated the contract why is the Hon Minister giving an answer in this House? When it was has affected GSL, Ministers have refused to answer questions. Who has decided, Mr Speaker, the Minister or the General Manager?

HON MISS M I MONTEGRIFFO:

Mr Speaker, the GHA decided. But whether the GHA decided or the Government decided, neither have any obligation to give reasons for terminating the contract. Mr Speaker, it is not a question of automatically renewing a contract. Contract officers are brought to Gibraltar for a specific period and when the contract terminates the Government or the GHA have no obligation to give reasons for not renewing the contract.

HON P C MONTEGRIFFO:

Mr Speaker, is the Hon Minister saying in her answer to the House this morning that she is not giving any answer on behalf of the Government? She is not giving an explanation because the decision was one taken by the GHA and there has not been any Ministerial interference in the decision taken?

HON MISS M I MONTEGRIFFO:

On the contrary, Mr Speaker, what I am telling the Hon Member is that neither the GHA or the Government, when we are talking about contract officers, have to give a public reason as to why we are not renewing a contract, or for any other employee for that matter.

HON P C MONTEGRIFFO:

Mr Speaker, does the Hon Minister speak for the GHA? Or on matters of personnel does the General Manager of the GHA take the decision?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I cannot understand the Hon Member's question because he is trying to pinpoint an individual and why her contract was not renewed. What I am telling the Hon Member is that it does not matter who the individual is, it is a matter for the GHA and the Government and whether it is the GHA or the Government is immaterial because it is their prerogative not to renew a contract or give details publicly.

MR SPEAKER:

I think this matter has been aired sufficiently. Next question.

THE HON M K FEATHERSTONE

When does Government intend to table the Accounts of the Gibraltar Health Authority for the year April 1988 to March 1989?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, the Accounts of the Gibraltar Health Authority were received from the Principal Auditor last Friday and will, therefore, be tabled at the next meeting of the House of Assembly.

SUPPLEMENTARY TO QUESTION NO. 57 OF 1990

HON M K FEATHERSTONE:

Mr Speaker, does the Hon Minister mean the next meeting of the House or at the adjourned meeting when we will discuss the Estimates?

HON MISS M I MONTEGRIFFO:

At the adjourned session, when we come back next month, Mr Speaker.

HON M K FEATHERSTONE:

So we will not have the benefit of them when we discuss the Budget?

HON MISS M I MONTEGRIFFO:

I have just informed the Hon Member that we will table the Accounts when we next come to the House. We have just received them.

HON A J CANEPA:

Then, Mr Speaker, they can be included in the Supplementary Agenda for the next session.

HON MISS M I MONTEGRIFFO:

If they want them then they can have them.

HON A J CANEPA:

Of course we want them, we have been constantly pressing for these Accounts.

HON MISS M I MONTEGRIFFO:

And we have explained why it was necessary to extend the period for nine months.

HON A J CANEPA:

Right, but if they are now available may we please have them?

HON MISS M I MONTEGRIFFO:

Yes, Mr Speaker. We are not trying to hide anything.

HON P C MONTEGRIFFO:

Mr Speaker, the Hon Minister agreed, at a previous meeting, to make them available as soon as possible, is that not so?

HON MISS M I MONTEGRIFFO:

That is correct, Mr Speaker.

HON P C MONTEGRIFFO:

Then that means today, not tomorrow or the next day.

HON MISS M I MONTEGRIFFO:

Mr Speaker, they were only received last Friday.

HON P C MONTEGRIFFO:

Then we should have had them on Monday.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Will Government state whether two years after taking office it is in a position to say when artificial playing surfaces will be laid at the Victoria Stadium?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, as I informed the Hon Member at the last meeting of the House of Assembly, we are actively pursuing alternative proposals and those negotiations have not been concluded.

SUPPLEMENTARY TO QUESTION NO. 58 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, are actual negotiations for playing surfaces taking place with a prospective contractor?

HON MISS M I MONTEGRIFFO:

Yes, Mr Speaker.

HON LT-COL E M BRITTO:

Mr Speaker, that was the Hon Minister's answer both in 1988, when I first raised this matter in a question and now, two years later, at the last meeting of the House, we were informed that those negotiations had failed. We now appear to be starting again, Mr Speaker. Is there any indication that they will take another two years and fail or what?

HON MISS M I MONTEGRIFFO:

Mr Speaker, let me remind the Hon Member that it was a company that approached the Government. The company was given a deadline and we had to wait for that deadline to expire before we could do anything. When the deadline expired last December, we informed the company that we were now free to negotiate with other parties. I informed the House of this at the last meeting. That, Mr Speaker, is precisely what we are doing, negotiating with other parties.

HON LT-COL E M BRITTO:

Mr Speaker, with the benefit of hindsight, will the Hon Minister accept that maybe a two-year or eighteen months deadline was perhaps too long a deadline and perhaps a shorter deadline should be given in any new negotiations?



HON MISS M I MONTEGRIFFO:

Well, Mr Speaker, with the benefit of hindsight it is very easy to talk but the company was given a deadline and we could not do anything until the deadline expired.

HON LT-COL E M BRITTO:

I accept that, Mr Speaker, but what I am telling the Hon Minister is that will she accept, with the benefit of hindsight, that after eighteen months the sportsmen of Gibraltar do not have an artificial playing surface and will she accept that in the present negotiations she would be looking at a shorter deadline and at a firmer negotiation so that the decision to lay the surface can be arrived at sooner?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I have already informed the House that we are actively pursuing alternative negotiations. I can assure the Hon Member that we will have an artificial surface before they promised to actually install a swimming pool for GASA in Gibraltar.

HON LT-COL E M BRITTO:

Mr Speaker, I will not accept the red herring but I challenge the Hon Minister to tell us when the artificial surfaces will be laid since she is so ready to throw mud around like swimming pools. I challenge the Hon Minister to state when the artificial surface will be ready.

HON MISS M I MONTEGRIFFO:

That, Mr Speaker, is really a question that no politician would ever answer. We are in the middle of negotiations. How can the Hon Member expect me to say when they will be ready, moreso when this type of project is conditioned to the weather.

HON A J CANEPA:

Mr Speaker, what excuse will the Hon Minister give the electorate two years from now when she has failed to deliver?

HON MISS M I MONTEGRIFFO:

Mr Speaker, the Leader of the Opposition will have to wait until then to see if I have failed or not.

HON A J CANEPA:

Mr Speaker, I am predicting that sportsmen will not have the artificial pitches laid two years from now.

HON MISS M I MONTEGRIFFO:

That, Mr Speaker, is the Hon Member's prerogative but we shall have to wait and see.

HON M K FEATHERSTONE:

Mr Speaker, will the Hon Minister accept that her hopes are outstripping her performance?

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Will Government give details of the financial assistance granted to Sporting Associations in the financial year ended 31st March, 1990?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, as a result of my Government having maintained the funds made available to Sporting Organisations at £40,000, it has also been possible to meet all requests received for specific commitments during the financial year 1989/90. The financial assistance given is as follows:-

(i)	Gibraltar Island Games Association	-	£6500
(ii)	Grammarians Hockey Club through GHA	-	£2000
(iii)	Eagles Hockey Club through GHA	-	£2500
(iv)	Commonwealth Games Association of Gibraltar	-	£6000
(v)	Gibraltar Squash Rackets Club	-	£2000
(vi)	Gibraltar Amateur Basketball Association (£3500 + £800)	-	£4300
(vii)	Gibraltar Amateur Athletic Association (£600 + £100)	-	£1600
(viii)	Gibraltar Volleyball Association	-	£5000
(ix)	Gibraltar Hockey Association (£2500 + £800 + £500)	-	£3800
(x)	Gibraltar Badminton Association	-	£1800
(xi)	European Federation of Sea Anglers Gibraltar	-	£1000
(xii)	Gibraltar Table Tennis Association	-	£1500
(xiii)	Gibraltar Cricket Association	-	£2000
	Total		<u>£40000</u>

THE HON K B ANTHONY

Will Government make representations to the MOD Authority seeking to allow taxi drivers to be granted permission to drive fares beyond Upper St Michael's Cave, to the upper Cable Car Terminus, returning to town via the northern route?

ANSWERTHE HON THE MINISTER FOR GSI AND TOURISM

Mr Speaker, during the normal contacts between the PSV Association, the Taxi Association and myself, the possibility of driving through these areas has been discussed. I am in the process of looking at this with the MOD but at this stage any comment would be premature.

SUPPLEMENTARY TO QUESTION NO. 60 OF 1990

HON K B ANTHONY:

Does Government have, Mr Speaker, any plans for decongesting this particular area of the Rock? Because as the Minister no doubt is aware, Mr Speaker, certainly from Queen's Road up to St Michael's Cave it is a very congested area and there are problems in that area.

HON J C PEREZ:

Mr Speaker, there is only one way of decongesting that particular area and that is through the use of a particular road which cannot be touched because of migrant birds. If we did we would have the Ornithological Society objecting to it. There are still schemes being looked at to try and ease as much as possible the situation. However, it is a very difficult area and it is always subject to blockages because of the amount of traffic using the area. There is only one road and one access and what goes up must come down.

HON K B ANTHONY:

I can assure the Hon Minister that Members on this side of the House are just as keen in preserving the environment, flora and fauna as anybody else. However, the Government have announced plans about having an environmental park, if I may use that term, is the area around St Michael's Cave envisaged as part of this park?

HON J E PILCHER:

I am not sure that I understand the question, Mr Speaker.

HON K B ANTHONY:

Mr Speaker, Government has announced plans for creating an environmental park, an Apes' Park as well as preserving the fauna and flora. Is the area around St Michael's Cave going to be included in this park?

HON J E PILCHER:

First of all, Mr Speaker, I do not know what this has to do with the Taxi Drivers and access to the Upper Cable Car Terminus.

MR SPEAKER:

I agree that this is a different question. However, if the Hon Minister wishes to answer.

HON J E PILCHER:

Mr Speaker, the Hon Member's current question refers to the Apes' Den as Phase I to the Nature Reserve, if you like, which is situated at Anglian's Way and which is Phase 2. It has nothing to do with St Michael's Cave or the area around St Michael's Cave.

HON K B ANTHONY:

Mr Speaker, does the Hon Minister have any indication of when your negotiations with the MOD authorities will be completed and when are you likely to come to this House with a decision?

HON J E PILCHER:

Mr Speaker, at the moment we are having discussions and they are very complicated because they touch on a lot of factors ranging from security through liability to maintenance and it is not an easy matter. It would be premature at this stage even to say where these discussions will lead to.

HON A J CANEPA:

Mr Speaker, at what level are these discussions being held?

HON J E PILCHER:

At the moment, Mr Speaker, it is a question of the initial contacts. The discussions will be held at the highest level.

HON K B ANTHONY:

Mr Speaker, will a decision be arrived at before the summer season or will it have to await to next year?

HON J E PILCHER:

No, Mr Speaker, this will take quite a long time and certainly not by this summer.

MR SPEAKER:

I must draw Members' attention to the fact that no new matter which is not included in the original Question can be introduced during Supplementaries. I have allowed it this time because the Hon Mr Pilcher has been very kind and wanted to answer. However, Hon Members should bear this in mind when questioning.

HON LT-COL E M BRITTO:

I will bear that very much in mind, Mr Speaker. Will the Hon Minister confirm that the Government supports the idea, in principle, of the Upper Rock being opened up to the Taxi Drivers and other Tour Operators and is negotiating on that basis? Or on the contrary?

HON J E PIICHER:

First of all, Mr Speaker, we are not negotiating. This is the third time that I have mentioned it. Secondly, we are looking at the matter but we have not taken any decision, in principle, for or against. At this stage it is more of a fact finding exercise with the MOD rather than taking decisions in principle.

HON LT-COL E M BRITTO:

Finally, Mr Speaker, in the broader ambit of the question, is Government aware that there are allegations, and I put it that way, Mr Speaker, that a number of foreign vehicles are using the Upper Rock roads with consequent danger arising?

HON J E PIICHER:

Mr Speaker, when the Hon Member says "is the Government aware". The answer is that my colleague, the Hon Mr Perez, as Minister responsible for Traffic, may supplement the answer if he feels it necessary. But let me take the opportunity to say that it is not a matter for the Government since the area in question are MOD areas which are patrolled by the Gibraltar Services Police and it is not a matter which

comes directly under the Gibraltar Government although I am sure that what the Hon Member is referring to is as a result of a programme on television where this matter was, in fact, mentioned by a Taxi Driver. We have, however, had no report directly to us. It is an MOD affair and not a Gibraltar Government matter.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Will Government provide a monthly breakdown of the last quarter of 1989 and the first quarter of 1990 together with comparative figures for same periods of 1988 and 1989 of the following:

- (a) unsold Government lottery tickets returned by agents
- (b) value of prizes contained in these unsold tickets distinguishing between the three major prizes and others?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Month	No. of Tickets	3 Major Prizes	Other Prizes
October 1988	362.5	Nil	111.75
November 1988	1,422.6	Nil	442.50
December 1988	3,715.8	8,000.00	7,603.25
January 1989	14,553.6	49,000.00	9,389.50
February 1989	14,689.5	84,250.00	10,181.50
March 1989	15,993.9	52,000.00	10,858.00
October 1989	25,564.9	134,000.00	16,732.00
November 1989	21,124.0	4,500.00	13,942.50
December 1989	22,311.0	69,000.00	23,377.00
January 1990	22,276.5	Nil	14,076.00
February 1990	19,029.3	Nil	13,425.50
March 1990	19,248.0	54,250.00	10,360.00

SUPPLEMENTARY TO QUESTION NO. 61 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, I will not go into great detail on the figures which the Hon Minister has just given since they require to be analysed but could I just ask the Hon Minister that in the light of the figures he has quoted and which appear to continue the same trend of figures that the Hon Minister has provided me in the past, are there any plans to restructure the lottery in the immediate future?

HON J C PEREZ:

No, Sir, there are no plans to restructure the lottery in the future.



HON LT-COL E M BRITTO:

Does that then imply, Mr Speaker, that Government is satisfied with the large amount of tickets that are remaining unsold and the number of prizes being won by the Government?

HON J C PEREZ:

Mr Speaker, it is not a question of the Government being satisfied. At the moment the Lottery Advisory Committee said that they would meet early this year to review the situation. However, because of some administrative problems they have not yet met. When they do I will, jointly with the Hon the Financial and Development Secretary, consider their recommendations, if any, but at present there are no plans to change the lottery. My own reading of the figures is that although they went down further from the figure that I have just given for January, February and March, 1989, it picked up again and therefore the figures for January, February and March, 1990, cannot be compared solely with what happened in 1989. One has to look at the trend for the whole year to see how the pattern has been developing, particularly with regard to the stage when the advent of Telebingo came in.

HON LT-COL E M BRITTO:

Has the Hon Minister in fact been able to study those trends and has he formed an opinion, Mr Speaker?

HON J C PEREZ:

Mr Speaker, I have my own opinion but I am not prepared to state it at this moment. I would wish to hear first what the Lottery Advisory Committee have to say on the matter. However, I am not one for changing the structure of the lottery.

HON A J CANEPA:

Mr Speaker, is the Hon Minister not really hoping that with the passage of time, as incomes increase and the Government reduces taxes, which no doubt they will, that people will have more spare cash and therefore invest more in the lottery and the number of unsold tickets will gradually diminish?

HON J C PEREZ:

Mr Speaker, people are investing more on the lottery. You can notice that depending on the weeks that you look at. Going back to what used to happen under the policy of the previous administration. . . . .

HON A J CANEPA:

The wise policy!

HON J C PEREZ:

. . . . every time that there was a change in prices there was a slump in sales which later picked up. The picking up is now becoming evident particularly lately and therefore I am not one to want to change the structure. However, if the Lottery Advisory Committee come up with some recommendations, I will study whatever they propose and take it from there.

MR SPEAKER:

Next question.

THE HON M K FEATHERSTONE

Can the Government now give details about the formation of the company which collects refuse?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, a full explanation of the role of the company and the reason for its formation was given to Hon Members in answer to Question Nos. 15 and 17 of 1990. I have nothing further to add.

SUPPLEMENTARY TO QUESTION NO. 62 OF 1990

HON M K FEATHERSTONE:

Well, I believe, Mr Speaker, that I asked who was the Managing Director? What was the share capital of the company? Who were the other Directors? How was the transfer of equipment from the PWD handled? All these points have not been answered. Can the Hon Minister do so now?

HON J C PEREZ:

Mr Speaker, if the Hon Member bothered to read Hansard he would notice that he did not ask all of those questions. The questions that he asked were answered. On the points raised now, Mr Speaker, the matter is public knowledge and he can undertake a company search and find out all the details. I am not answerable in this House for what is public knowledge.

HON A J CANEPA:

Mr Speaker, does that include details of any transfer of equipment that may have taken place?

HON J C PEREZ:

No, Mr Speaker. I said at the last meeting of the House that no transfer of equipment had taken place.

HON A J CANEPA:

Then on what basis is it being used?

HON J C PEREZ:

Mr Speaker, the equipment belongs to the Government of Gibraltar and is used, on a daily basis, by the company. That is how the contract was worked out.

HON M K FEATHERSTONE:

Mr Speaker, last time when we discussed the matter the company did not even have a formal name. Does it have one now in order that we can carry out a search?

HON J C PEREZ:

Mr Speaker, I believe that last time the company did have a name - Gibraltar Industrial Cleaners Ltd. This was stated last time and the Hon P C Montegriffo jumped up thinking that this was going to take over the cleansing of the whole world.

HON M K FEATHERSTONE:

Mr Speaker, the Hon Minister is unable to tell us the name of the Managing Director?

HON J C PEREZ:

Mr Speaker, is there a problem with the Managing Director? What is the problem? Is this a policy issue? There are Managing Directors in all companies and the Opposition has never asked about them. Is this a policy issue? It is public knowledge.

HON P C MONTEGRIFFO:

Mr Speaker, the policy issue is that the Managing Director runs the company that collects the refuse and which is a matter of public interest. Now if it turns out to be Mr "X" or Mr "Y" then there are views as to whether it is or not an appropriate appointment. That is a matter of policy. We are entitled to ask and to be given an explanation. Frankly it appears to be an incredible intransigence when the name is available in the Public Registry. It is petty and childish for the Minister not to answer. After all, the listening public is entitled to know who is running the Refuse Collection Company.

HON J C PEREZ:

Mr Speaker, what is frankly ridiculous is that Hon Members opposite, knowing that this is public knowledge, should come and waste the time of this House asking for things they can find out themselves. In any case, Standing Orders do not allow questions that are public knowledge.

HON M K FEATHERSTONE:

What is ridiculous, Mr Speaker, is that the Hon Minister should wish to hide everything under a smokescreen.

HON J C PEREZ:

Mr Speaker, the smokescreen is the Registry and the Hon Member has access to those records.

HON M K FEATHERSTONE:

Mr Speaker, this is the House of Assembly and we are entitled to ask questions and we should have legitimate answers.

HON J C PEREZ:

And I, Mr Speaker, am prepared to answer every question that has to do with Government policy but details of things that are public and available I am not prepared to answer.

MR SPEAKER:

As the House knows, there is a rule that if information is set out in public documents or other books of reference, then the Hon Minister is not obliged to answer. If the Hon Minister says that the information now requested is available in a public place there is no point in pursuing the matter further. Next question.

26.4.90

NO. 63 OF 1990

ORAL

THE HON K B ANTHONY

Will Government explain why, under the proposed terms of employment with the Gibraltar Nynex Communication Limited, the salary scales of the Supervisor and Operator of the sub-system grade are on a "personal to holder" basis?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Answered together with Question Nos. 64 and 65 of 1990.

26.4.90

NO. 64 OF 1990

ORAL

THE HON K B ANTHONY

Will Government explain why, under the proposed terms of employment with the Gibraltar Nynex Communication Limited, five PTO III grades are being regraded to Senior Technician scale on a "personal to holder" basis?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Answered together with Question Nos. 63 and 65 of 1990.

THE HON K B ANTHONY

As all the advertised posts with the Gibraltar Nynex Communication Limited are for non-industrial grades, will the Government explain what is the future role of the present industrial grades with the Gibraltar Telephone Company?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, the matter of the transfer of employees in the Telephone Department to the proposed joint venture company is the subject of negotiations between the union and Staff Association representing the workforce, and the Government of Gibraltar. It is Government policy not to divulge information on any specific matter whilst negotiations are taking place. May I, nonetheless, remind the Hon Member that the grade of PTO III does no longer exist in Government Service since it was done away with some years ago as a result of a reappraisal of the technical grades in the UK.

SUPPLEMENTARY TO QUESTION NOS. 63, 64 AND 65 OF 1990

HON K B ANTHONY:

Mr Speaker, I thank the Hon Minister for his answer. However, my concern is not with the abolishment of the PTO III grades and regrading of Senior Technician, my concern is the possibility that Nynex might have a lower establishment than the present Gibraltar Telephone Department and this could be a potential unemployment situation for five, six or seven people.

HON J C PEREZ:

Mr Speaker, there is no danger of that and all I can do is express the Hon Member's concern to the Staff Association and the Union when I meet them. There is, however, no danger of that.

HON K B ANTHONY:

On the question of the non-industrial grades which are not mentioned in the contractual offers being made by the Nynex Company, can the Hon Minister give me any information at all about the situation regarding these grades in transferring over?



HON J C PEREZ:

Mr Speaker, these are the matters that I have said are at the negotiating stage.

HON K B ANTHONY:

Can the Hon Minister assure the House that the industrial grades are happy with the situation?

HON J C PEREZ:

This matter is still being negotiated and they will agree when they are totally happy because they will not agree until they are happy with their terms.

HON K B ANTHONY:

I take the Hon Minister's point but nevertheless, Mr Speaker I take it that not all employees will wish to transfer to Nynex, I do not know, but if they do they will deplete the Telephone Department . . . .

HON J C PEREZ:

Mr Speaker, a job offer will be made available to everyone working today in the Gibraltar Telephone Department. If someone does not wish to transfer that is his prerogative, but everyone working in the Gibraltar Telephone Department will receive a job offer.

HON K B ANTHONY:

Mr Speaker, one final question. Can the Hon Minister give this House any indication as to when the negotiations will be completed?

HON J C PEREZ:

Mr Speaker, I hope shortly but I cannot give the Hon Member a specific date because negotiations are open to delays.

HON K B ANTHONY:

Mr Speaker, I take the Hon Minister's point and I am not asking for a specific date as such, but 'shortly' is like describing how long is a piece of string. Does the Hon Minister mean one week, one month, three months?

HON J C PEREZ:

Mr Speaker, if we take as an example the Hon Mr Featherstone's description, some years ago, of what was 'temporary', it could mean five, ten, fifteen or twenty years, but I do not expect that timescale!

HON A J CANEPA:

Mr Speaker, can the Hon Minister explain, having regard to what he has told us or what he has not told us this morning, namely, that negotiations are taking place .....

HON J C PEREZ:

I have told the House that this morning, Mr Speaker.

HON A J CANEPA:

Yes, the Hon Minister has told us that this morning. But does he not accept that the reasons which he is alleged to have made public explaining why the Government had invited applications in its Bulletin of Circulars for seven non-industrial grades sounds very weak and hollow? How does the Hon Minister reconcile one with the other?

HON J C PEREZ:

Mr Speaker, I am not quite sure as to what the Hon Leader of the Opposition is referring to.

HON A J CANEPA:

Mr Speaker, GBC put certain questions to the Government regarding the advertising of certain posts in the Bulletin of Circulars and the Hon Minister was quoted as having said that all that the Government was doing was testing what interest there was in these posts. Having regard to his failure to give answers to Question No. 65 .....

HON J C PEREZ:

No, Mr Speaker, the answer was not hollow at all. Negotiations are taking place with the employees and we needed to know whether there were sufficient administrative grades prepared to move to the Company. I am glad to say, Mr Speaker, that there were 67 applications for 13 posts. That means that there is sufficient interest. These are factors that need to be known before the Company is actually formed. These negotiations are parallel with the

negotiations taking place with Nynex. Mr Speaker, until the Company is actually formed there can be no concrete job offers to anyone. That is why I made those comments to GBC. I said that we were inviting applications but that until the Company was formally established no offers could be made. Because, at the time, the Company did not exist, but because things are being tackled in parallel and people do not expect things to go drastically wrong, negotiations are taking place at the same time. That is the reason for my comments.

MR SPEAKER:

Next question.,

THE HON M K FEATHERSTONE

Has the responsibility for the sewers been transferred from the PWD to another Ministry and, if so, why?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, the Ministry of Trade and Industry has taken over sections previously in the Public Works Department as a result of the restructure of the Government Service. This includes the Sewers Section.

SUPPLEMENTARY TO QUESTION NO. 66 OF 1990

HON M K FEATHERSTONE:

Mr Speaker, the Hon Minister has not answered the question as to why?

HON J C PEREZ:

Mr Speaker, this has arisen as a result of the restructure. It was felt that the major infrastructural part of the Public Works Department would be better suited in the Ministry of Trade and Industry since a lot of their work is connected with the major developments now taking place.

HON P C MONTEGRIFFO:

What changes are involved with regard to maintenance, etc for the workers involved in undertaking those functions?

HON J C PEREZ:

None, Mr Speaker. The Heads of Section now report to the Minister for Trade and Industry and before they used to report to me. That is the only difference.

HON P C MONTEGRIFFO:

It is then only a difference in control and not in different staff, sections or whatever, at this stage?

HON J C PEREZ:

That is correct, Mr Speaker.

MR SPEAKER:

Next question.

THE HON P C MONTEGRIFFO

When will the Financial Services Commission come into operation and has the Government decided on the numbers and staff structure of the proposed Commission?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker the Government is currently in the process of selecting a suitable person for the post of Commissioner. It is not possible, therefore, to state when the Commission will become operational nor give an indication of the staff structure until a person has been appointed and is given an opportunity to assess and advise on requirements.

SUPPLEMENTARY TO QUESTION NO. 67 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, is the Government aware that the present staffing of the Financial Sector Adviser's Office that undertakes similar functions, is terribly inadequate and not equipped to undertake the sort of work that even, at present, is being generated?

HON M A FEETHAM:

Mr Speaker, precisely because of this we feel that it would be better to wait until the Commissioner is in place to see what is required. The Hon Member must remember that we have recently introduced two major pieces of legislation, ie the Financial Services Commission and the Financial Services Ordinance and we are expanding our capabilities in this field. It is therefore prudent to wait for the person who will be assessing and advising to be in post before we undertake any changes. It would be best for the Government and the Commission to await his advice on requirements. The present staff will be given an opportunity obviously, to fit into that structure.

HON P C MONTEGRIFFO:

Will the Government, therefore, confirm that the existing staff at the Financial Sector Adviser's Office will be given a first option to join the proposed new Financial Services Commission?

HON M A FEETHAM:

Well, Mr Speaker, it depends on the structure that is going to be set up and also whether, in fact, the existing staff may wish to move into that structure.

HON P C MONTEGRIFFO:

Obviously, Mr Speaker, you are not going to move people against their wishes. But is it the Government's intention, like with the Telephone Department, to offer every employee in that section employment in the new Financial Services Commission?

HON M A FEETHAM:

Not until we know the structure required. Once we know that we will know how to approach the matter.

HON P C MONTEGRIFFO:

Mr Speaker, I can understand the need to await the Commissioner's appointment because his views will have a bearing on this but can the Hon Minister explain Government policy on the matter? Does the Government not have a view as to whether it would be beneficial and desirable for those people now employed in that area in the public service to be transferred to the new body?

HON M A FEETHAM:

No, Mr Speaker.

HON P C MONTEGRIFFO:

There is no Government policy?

HON M A FEETHAM:

No, Mr Speaker. What I am saying is that I am not prepared to state whether or not the Government will take that course of action.

HON P C MONTEGRIFFO:

Can the Hon Minister say why he is not prepared to disclose this? Is it confidential? Why for the Telephone Department and not for this section of the public service?

HON M A FEETHAM:

Mr Speaker, we need to appoint the Commissioner and then assess his recommendations. There is then a Commission to be appointed with different representative persons and it would therefore be premature for me to make a statement before the views of these respective persons, who are going to play a major part, is available.

HON P C MONTEGRIFFO:

Mr Speaker, is the Government aware that the delay in implementing the Commission is having a serious detrimental effect on the advantage that was gained by passing both the Financial Services and the Financial Services Commission Ordinances last year? This is being seen as a delay in implementing the supervision which Gibraltar requires.

HON M A FEETHAM:

Mr Speaker, the initiative to introduce these types of legislation was taken by this Government because it had been on the cards for years and nothing had been done about it. It was as a result of my setting up my own team into place with assistance from the private sector that it is now in the Statute Book. It is as a result of this Government's initiative that a Commission has been introduced. This had not been thought of before as the way forward for Gibraltar. Mr Speaker, this has been done in a very short space of time and the indications that we have from those concerned, such as the feedback from Legal Chambers, etc, and the Hon Member must be deriving a benefit, is not the scenario that the Hon Member has stated about doubt, no confidence, etc. That is not the case.

HON P C MONTEGRIFFO:

Mr Speaker, I hope that the Hon Minister will not bring personal matters into the debate because if that is the case I will do the same. Can the Government then, Mr Speaker perhaps give an undertaking as to when it considers that it will have in place the Commission that will regulate Financial Services in Gibraltar?

HON M A FEETHAM:

Mr Speaker, the advert has been published and we have had over 90 enquiries for the position, 45 formal applications have been received. These applications have had to be vetted. A short list has been drawn up. Once a person is appointed he will most probably have to give notice, if there is a final appointment of a suitable candidate. All

these things, Mr Speaker, take time. It is the Government's policy to have the person in post as soon as possible. To have the Commission working as soon as possible to assist in formulating the Government's policy since we came into office.

MR SPEAKER:

Next question.



THE HON K B ANTHONY

Will Government make a full statement about the current state of the Survey of both Camp Bay and Little Bay beaches and will they also state when these beaches are going to be re-opened for use by the general public?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, as the Hon Member is aware, during the month of December and as a result of the heavy rains, significant rockfalls and soil slips occurred in the Camp Bay and Little Bay area.

The Camp Bay and Little Bay area was closed to the public due to the potential hazard of further rockfalls. Precautions were also taken at Europa Road just south of Glen Rocky in order to remove any loading on the unstable soil slips above the Keightley Way area.

Menarock was engaged to carry out a Survey of the four zones in the area where significant rockfalls had occurred. These zones are:

- (1) Machigolis Gallery area to the north of Camp Bay;
- (2) The soil slope above Camp Bay car park;
- (3) Open fissure area and tunnel portal area which are
- (4) & located to the east of Little Bay.

The purpose of the inspection was to obtain a detailed "Factile range" view of the problem area to assess:-

- (1) the nature and causes of the falls;
- (2) the level of risk remaining for users of the amenity area;
- (3) the remedial works required to reduce that risk to an acceptable level including detailed design of remedial measures that should be carried out before opening the area to the public for the summer of 1990 and diagnose, in principle, longer term remedial works.

In addition to the above, Menarock was asked to carry out a rock scaling exercise of the faces in the area to identify and remove, where possible, the most unstable elements and to identify any unstable features which could not be removed during the scaling exercise.

Mott MacDonald was engaged on a supervisory role during the Survey and future works, as our advisers, on recommendations by Menarock.

The detailed factile survey was carried out between the 26th February and 3 March, 1990. However, as the House is aware, during the first weekend in March, Camp Bay, Keys Promenade and Little Bay suffered further substantial damages as a result of the storm. Further damage was also suffered on all our other beaches.

The Report on the Survey has now been received and after consideration with our advisers, Mott MacDonald, agreement has been reached on the protective works which must be undertaken prior to the opening of the facilities to the general public. The works comprise the erections of rockfall barriers, control of access to certain areas and removal of a couple of loose blocks.

The recommendations and design "in principle" for the long-term stabilisation measures are being studied by our advisers and their comments are expected within a couple of weeks. These major works will be carried out in two stages. Stage I will be carried out during the summer with access restriction, and Stage II will be completed during the winter of 1990 with the area closed to the public.

The major works comprise mainly of supporting blocks with anchors and cables, spraying of concrete into face of conglomerate, underpinning certain structures and trimming of slopes.

In the meantime, works have proceeded in the clearing of the stones, etc accumulated at Camp Bay terraces as a result of the rockfalls and storms and repairing of the terraces facilities as well as the swimming pools. Remedial works is also being carried out on all the other beaches.

I am pleased to say that I have held discussions with the MOD and agreement has been reached which will entail the Royal Engineers, the Green Jackets and a Unit of the Cheshire Regiment, assisting in the joint efforts in carrying out the works. All these Units are currently mobilised on the site along with our own personnel.

It is envisaged that Camp Bay will be opened for the summer period. Insofar as Little Bay is concerned however, Mr Speaker, every effort is being made to have these facilities also open for the summer period.

SUPPLEMENTARY TO QUESTION NO. 68 OF 1990

HON K B ANTHONY:

Mr Speaker, I thank the Hon Minister most sincerely for that in-depth answer. However, is the Hon Minister aware that the MOD are recruiting lifesavers for the Nuffield Pool with effect from next Tuesday and does that mean that the pool is going to be open?

HON M A FEETHAM:

Mr Speaker, the indications that I have given are that every effort is being made to open Little Bay. Let me say that the joint efforts that are being put into effect as a result of the meetings held is that we want the entire area open. I suppose that in anticipation that this is possible, the MOD is going ahead and recruiting people, which is an indication of the hope that there is that the entire area will be open to the public under certain conditions.

HON K B ANTHONY:

Mr Speaker, I saw in January the damage after the December storm and it was to quote the words of the Hon Lady opposite, "horrendous". Certainly the Keightley Tunnel entrance was in a very bad state. Can the Hon Minister give me an indication as to whether this Tunnel will be open this summer or will the entrance be only through Camp Bay?

HON M A FEETHAM:

Mr Speaker, the intention is to have entrances at both ends. But there will, of course, because of the works, be certain restrictions as to access.

HON K B ANTHONY:

Mr Speaker, when one talks of restrictions of access, in what way will they be applied? For example, traffic lights at the Camp Bay entrance or what?

HON M A FEETHAM:

Mr Speaker, if the Hon Member has been down to the area in question he will have realised that in order for the Little Bay area to be opened there will have to be certain protective measures so that we can be as sure as it is humanly possible that people using Little Bay and Nuffield have security. That means that instead of being able, for example, to drive down into the car park you may only have limited access pedestrian-wise from Europa Point and access to the car park from the Camp Bay entrance. The thing that the Hon Member should be happy about is that I am making a statement that indicates to people who have asked or are asking, ie the letter in the Gibraltar Chronicle a few days ago, that it looks like Little Bay will also be open and these people should also be happy with this state of affairs.

HON A J CANEPA:

Is it likely that Little Bay and the Nuffield Pool end will be available to the public before Camp Bay is?

HON M A FEETHAM:

What we are trying to do, Mr Speaker, is to have them both ready at the same time. That is our target.

HON A J CANEPA:

Mr Speaker, the personnel working at Camp Bay are PWD personnel, is that so?

HON M A FEETHAM:

They are Government employees, Mr Speaker, under my Ministry.

HON A J CANEPA:

And the Army are at the moment working at the Little Bay/Nuffield Pool end?

HON M A FEETHAM:

Yes, Mr Speaker. But we will also have our workmen working at the Little Bay/Nuffield Pool end.

HON A J CANEPA:

Mr Speaker, will the Hon Minister ensure that we do not have a situation in which MOD personnel, services families and so on, are able to have access to the Nuffield Pool area through Keightley Way before the general public is able to use the facilities at Camp Bay? Because to ask the general public of Gibraltar to go through Keightley Way to be able to use Little Bay is hardly the kind of facility that we would wish them to have.

HON M A FEETHAM:

Mr Speaker, it would be totally unacceptable for the Government to accept the position that the Nuffield Swimming Pool is open and Little Bay deprived to the Gibraltarians. The position that we have taken is that the joint efforts being put will ensure that that does not happen. Access will be through both entrances for the general public including MOD personnel.

HON A J CANEPA:

I do not think that the Hon Minister has understood my question. What I am saying, Mr Speaker, is that for the general public to be able to come through Keightley Way and have access to Little Bay before they are able to have access to Camp Bay is not acceptable .....

HON M A FEETHAM:

Mr Speaker, look the ...

HON A J CANEPA:

Because, Mr Speaker, it is more difficult for the general public of Gibraltar to have to go all the way up to Europa Point and go through Keightley Way Tunnel in order to be able to use the limited facilities at Little Bay, which are very small, when the main beneficiaries are going to be service families, many of whom already live at Europa Point, and it is very near for them to use the Nuffield Pool.

HON M A FEETHAM:

Mr Speaker, every effort is being made to have the entire area open to the general public, including the MOD families. In my estimation, having visited the area a number of times, Camp Bay will be open before Little Bay by maybe a week or two, although I have no wish to be pinned down to those dates. It is therefore very probable that Camp Bay will be open before Little Bay anyway, so all the facilities which were there before will be available except that there will be slight restrictions to protect the general public, in their own interest.

HON A J CANEPA:

Mr Speaker, I thank the Hon Minister for that answer which is precisely what I was looking for.

HON K B ANTHONY:

Mr Speaker, it was mentioned in the News last night that the Government hoped to re-open Camp Bay and Little Bay in June. Can I have an assurance from the Minister that if the works can be expedited these two areas will be open earlier?

HON M A FEETHAM:

Mr Speaker, if the Hon Member has been to the area he will know the enormous task that we have set ourselves and every effort is being made to open the area as soon as possible. What I cannot predict is whether it will be two weeks before or two weeks after the time mentioned. What I think the general public, who has been invited by the Hon Member to listen today, should be glad of is that the entire area will be available this summer.

HON P C MONTEGRIFFO:

Mr Speaker, is the Hon Minister in a position to confirm the cost of the works and also whether ODA has agreed to cover the cost of the further damage caused by the recent storms?

HON M A FEETHAM:

Mr Speaker, it is impossible for me to give an estimate of the costs involved. Our main priority at present is to open up the area for the general public. We have an idea of the cost involved but I am not prepared to say anything because other things are in play and there are joint responsibilities involved in the operation. The Hon Member should at this time leave it to the Government to deal with these negotiations on the costs involved.

HON P C MONTEGRIFFO:

Mr Speaker, if I agree to leave it to the Government, will the Government confirm that the ODA is going to pick up the total bill? Or is that also a matter of adjustment?

HON M A FEETHAM:

Mr Speaker, let me clarify this point. The ODA have accepted to pay for the Report and the Survey and they will then consider any costs from the works required. What I am saying is that in order to have the area open to the general public the costs involved have not been established since other matters are involved like the MOD involvement.

HON LT-COL E M BRITTO:

Mr Speaker, the Hon Minister referred to reaching agreement with MOD to clear up the area and which is, of course, very welcome but will the Hon Minister say whether this co-operation in clearing up the area also extends to the other beaches? Or is it restricted to the area of the Nuffield Swimming Pool?

HON M A FEETHAM:

Mr Speaker, it is restricted to the major problem area which is the Camp Bay/Little Bay area. The other beaches are on target even though we have been set back by the bad weather. We are confident that the other beaches will open on time as well. In fact, they are being upgraded with new sand, etc something which has never been done before, certainly within my recollection.

HON LT-COL E M BRITTO:

Mr Speaker, I was under the impression that Sandy Bay was being given a lower priority?

HON M A FEETHAM:

No, Mr Speaker. We started with Eastern Beach and we will finish the renovation of all of them before the summer season starts, including Catalan Bay for the benefit of the Hon Leader of the Opposition.

HON A J CANEPA:

Mr Speaker, the sand which was opposite Catalan Bay and Sandy Bay is no longer there, it is at the reclamation and sand is being brought by lorry to replace it.

HON M A FEETHAM:

Mr Speaker, the Hon Member is hitting below the belt because all the studies which have been made clearly indicate that that is not the case and I am quite willing to show this information to the Hon Member opposite.

HON J C PEREZ:

If I may add, Mr Speaker, the effect that we are suffering here from the sand is being suffered all over the Coast and it has to do with the weather, nothing else.

MR SPEAKER:

Next question.

THE HON A J CANEPA

Does the Government have any plans, or has it received any proposals for development of the area, below and to the west of Windmill Hill flats known as "Jacob's ladder"?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

No, Mr Speaker.

SUPPLEMENTARY TO QUESTION NO. 69 OF 1990

HON A J CANEPA:

The Government has no plans to develop the area and has not received any proposals?

HON M A FEETHAM:

No, Mr Speaker.

HON A J CANEPA:

Mr Speaker, if it were to receive proposals will the Government take into account that the habitat existing there is rather unique, even for Gibraltar, and that it is an area which from a wildlife point of view should be preserved as it is?

HON M A FEETHAM:

Yes, of course, Mr Speaker, we will.

HON A J CANEPA:

I am very grateful for that answer, Mr Speaker.

MR SPEAKER:

Next question.



THE HON A J CANEPA

Will the Minister for Trade and Industry make a statement regarding the feasibility study for the proposed East Side Reclamation Project?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

No, Mr Speaker, when I am ready I will do so.

SUPPLEMENTARY TO QUESTION NO. 70 OF 1990

HON A J CANEPA:

Has there been no progress on this matter since a question was asked last time in the House?

HON M A FEETHAM:

Mr Speaker, I am not in a position to make a statement so therefore we have not completed the costings, etc involved in such a major project.

HON A J CANEPA:

Mr Speaker, is the Hon Minister able to say whether the feasibility study includes a hydrographic survey aimed, obviously, at ensuring that whatever development takes place will not have an adverse effect on the already precarious state of our beaches?

HON M A FEETHAM:

Absolutely, Mr Speaker, that is one of the major considerations in this study.

HON A J CANEPA:

And other than the commercially sensitive aspects of the matter, will the Minister undertake to make public the results of the feasibility study in order to give an opportunity for discussion and comment prior to any irrevocable decision being taken on the matter?

HON M A FEETHAM:

No, Mr Speaker. The Government will use its judgement, consult whoever it believes ought to be consulted, and I have already indicated that the Catalan Bay Council will be consulted insofar as it affects them, but everything else is a matter for the Government.

NO. 71 OF 1990

ORAL

THE HON M K FEATHERSTONE

Has the Government any plans to develop the Little Bay and Camp Bay area?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

No, Mr Speaker.

SUPPLEMENTARY TO QUESTION NO. 71 OF 1990

HON M K FEATHERSTONE:

Will the Hon Minister therefore confirm that they will remain bathing areas for the general public for the foreseeable future?

HON M A FEETHAM:

The bathing areas will remain bathing areas for the foreseeable future, yes, for many years I hope.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Will Government confirm that it intends to move the Ministry of Trade and Industry to a new location away from The Haven?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

As the Hon Member is aware, the Government is in the process of restructuring the Civil Service, and in this connection it may well be that the Ministry will move out of The Haven.

SUPPLEMENTARY TO QUESTION NO. 72 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, the question was does he intend to move it to a new location? Could I have a 'yes' or a 'no'?

HON M A FEETHAM:

Mr Speaker, I am answering as the position is today. It may or it may not.

HON LT-COL E M BRITTO:

Mr Speaker, is it not a fact that an alternative site has already been chosen and decided?

HON M A FEETHAM:

No, Mr Speaker.

HON LT-COL E M BRITTO:

Is it not a fact, Mr Speaker, that, maybe it has not been decided, but it is being considered to move it to the area of the Old Bakery at Town Range?

HON M A FEETHAM:

Mr Speaker, the Ministry is composed of a number of Departments and it may be that one of the Departments moves to the area mentioned by the Hon Member. The Ministry has many Departments and it is a question of where to house them. It may be that the Ministry, as a whole, goes there but then it may not.

HON LT-COL E M BRITTO:

Fine, Mr Speaker. So we have established that a section of the Ministry may be moving to the area in question, to new premises at Town Range, is that correct?

HON M A FEETHAM:

That is the case, Mr Speaker, and as the Hon Member is aware, Gibraltar is very small, we are moving Departments around and a great deal of deployment has to take place until we get all the Ministries properly structured in their long-term places.

HON LT-COL E M BRITTO:

Mr Speaker, is this location into which this section of the Ministry may be moving into Government property, private property or MOD property?

HON M A FEETHAM:

The property in question, which is in fact the Queensway Street area in Town Range, and I do not know why the Hon Member has not named it, may house a particular section of my Ministry and is MOD property, at the moment. That is one of the reasons why we may or may not move into the area. It may be or it may not be one of the properties that will eventually be handed over to the Government of Gibraltar. But in anticipation, as forward planning, that building may be used by my Ministry.

HON LT-COL E M BRITTO:

Mr Speaker, I thank the Hon Minister for at last being forthcoming. The question now is "Are these not married quarters and would it not be more beneficial to use these premises for housing at this stage"?

HON M A FEETHAM:

Mr Speaker, as my colleague on my left has just mentioned, that has nothing to do with my Ministry moving or not moving. This has nothing to do with the original question and I have no reason to answer. However, let me say that 75% of the existing area is used by the MOD as workshops and offices.

HON LT-COL E M BRITTO:

Mr Speaker, I cannot accept that it has nothing to do with my original question because my question was "moving into a new location?" And what we are talking about is the new location and this new location is more suitable for housing.

HON M A FEETHAM:

Mr Speaker, the Hon Member is now talking about housing.

MR SPEAKER:

I think we are diverging from the question a lot now. The Hon Member is now asking for an opinion in assessing the matter and as Members are aware, opinions are not even allowed at Question Time. I, however, think that the matter has been thrashed out sufficiently. Next question.

THE HON LT-COL E M BRITTO

Will Government make a statement giving details of the proposed major changes at the Crown Lands Department?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, in keeping with our well established policy in respect of the restructure of the Civil Service, proposals were received from the staff in Crown Lands to undertake the management of the land and property holdings and related property matters on a fee basis. These were considered acceptable by the Government and arrangements are in hand to put this agreement into effect.

SUPPLEMENTARY TO QUESTION NO. 73 OF 1990

HON LT-COL E M BRITTO:

So, Mr Speaker, the intention is to virtually privatise the Crown Lands Department?

HON M A FEETHAM:

No, Mr Speaker, that is not correct.

HON P C MONTEGRIFFO:

Mr Speaker, is the Department going to move away from the Official Sector and receive fees and become self-financing?

HON M A FEETHAM:

That is correct, Mr Speaker.

HON P C MONTEGRIFFO:

Mr Speaker, and that change to a self-financing agency, so to speak, is that part of the change that will be reflected, for example, in this year's Estimates?

HON M A FEETHAM:

No, Mr Speaker, because as I have said, we are still in the process of putting this proposal into effect and we may overlap.

HON P C MONTEGRIFFO:

And the idea, Mr Speaker, is that as far as that 'agency' is concerned, the employees will be considered private sector employees?

HON M A FEETHAM:

They will all be self-employed, Mr Speaker. It is their initiative. It is the same as if the Government wanted to look towards a Property Management Company in Gibraltar to manage their property, as indeed other landlords look towards Property Managers to manage their properties.

HON P C MONTEGRIFFO:

And those fees and functions of the 'agency', Mr Speaker, will cover not only the management of Government properties but presumably the assessing and analysing of Building Applications, etc?

HON M A FEETHAM:

No, Mr Speaker. I have said that it is only related to land and property management and related matters. The question of building control and planning will continue to be under my Ministry.

HON P C MONTEGRIFFO:

I am grateful to the Hon Minister for that explanation, Mr Speaker. Could the Minister confirm whether the profits of the 'agency' .....

HON M A FEETHAM:

It is not an 'agency', Mr Speaker. They are all self-employed.

HON P C MONTEGRIFFO:

... Of the company, will the Government enter into a contract and have a clawback on any profits made?

HON M A FEETHAM:

No, Mr Speaker.

HON P C MONTEGRIFFO:

Is it then, basically, a situation whereby in return for a fee, fixed annually or by some other means, they will manage the Government's property?

HON M A FEETHAM:

That is correct, Mr Speaker.

HON A J CANEPA:

The question of Building Control, that will continue to operate as at present and no fees will be charged? Other than whatever fees are being charged at the moment?

HON M A FEETHAM:

Yes, Mr Speaker, that has nothing to do, as I have already explained, with the question that has been put.

HON P C MONTEGRIFFO:

Mr Speaker, now that the Hon Minister is in a generous mood of providing information the temptation is too great. Could the Hon Minister say if the Housing Estates form part of the properties to be managed by the new company?

HON M A FEETHAM:

No, Mr Speaker. We are talking of the commercial related properties of the Government, not the residential aspect.

HON P C MONTEGRIFFO:

Would it include areas like the Dockyard area?

HON M A FEETHAM:

Yes, Mr Speaker.

HON LT-COL E M BRITTO:

Will Government have any control on the scale of fees being charged by the 'privatised section' of the Crown Lands Department?

HON M A FEETHAM:

Mr Speaker, the fees to be paid have been agreed by both sides. This involves the breakdown of the fee for various things. But anything else in terms of rent, etc which belong to the Government is a matter for the Government.



HON LT-COL E M BRITTO:

Mr Speaker, I think the Hon Minister may not be distinguishing between fee and fees. The way that I understand it is that the employees are going to be paying Government for the privilege of carrying out these services on their own. Paying a management fee. What I am now asking about are the fees that they will be charging the public for the service they are going to provide .....

HON M A FEETHAM:

No, Mr Speaker, they are not going to charge the public anything. We have a number of properties and the units which compose these properties, commercial units, stores, etc which have to have leases drawn up, rental reviews, etc. These rental levels, etc will be decided by the Government. What the group composing the company on a fee basis will be charging the Government for is the work undertaken on their behalf. They will not have any contact with the Government's clients, if I can put it that way, Mr Speaker.

HON P C MONTEGRIFFO:

In view of the change involved, will Government, once the negotiations are completed, agree to provide information on the fees involved, etc?

HON M A FEETHAM:

Mr Speaker, what I am prepared to do is that within the existing budget, within the Estimates, give Hon Members an indication of what we are talking about. But I am sure that neither the Hon Member or anyone else would wish me to make known information, on a commercial agreement, entered into between two parties. That should be something for the parties involved.

HON P C MONTEGRIFFO:

I was not asking that the information be made public but provided to Hon Members because it is of enormous importance to us in assessing that the return which we, as a people, get on Government land. At least let Hon Members know what type of arrangements have been made for the management of public property.

HON M A FEETHAM:

Let me inform the Hon Member that it has been on the initiative of the staff and which we have found acceptable, it will be within the constraint of the wages presently being paid to them by Government and if you look at the

Estimates it is not going to cost any more than it is already costing the Government. In fact, the situation is that it will improve the service presently available. There is no need for the Hon member to know anything else.

HON P C MONTEGRIFFO:

Mr Speaker, I am not suggesting that it is going to cost us more or less. On the contrary, I am suggesting that there is an element of benefit that could be quantified and I am prepared to accept, at this stage, that people in the street should not have all the details of how our land, all our land, is being managed then at least what I am saying is why should Members on this side of the House, unless you mistrust us, should not be given details of the arrangement entered into. So that we at least know how public land is being managed and the arrangement established?

HON M A FEETHAM:

First of all, Mr Speaker, the question of land in its wider implications is a matter for the Government and it is the Government who will be carrying out the negotiations in terms of disposal of the land. What we are now talking about is property management and I will accept that there might be a slight overlap on the question of the land but the major issues will still remain under the responsibility of the Government. What we are entering into is basically a property management contract with our own staff who are going into a commercial situation. That aspect of it will remain confidential between the Government, as the client, and the Company, as the people undertaking the work. In the same way as any other landlord who enters into a property management contract in Gibraltar. If in time, for example, and which does not arise, but if it were to and the Government wished to change its property managers why should everybody else know the fees that we are paying? Why should other property managers know?

HON A J CANEPA:

Mr Speaker, are these changes being reflected in these Estimates?

HON M A FEETHAM:

No, Mr Speaker, because as I have already stated, we are still not ready and a number of things have still to be done. There is still some legislation which requires change to take into account the formal agreement. In terms of what is now known as "the Director of Crown Lands" will require to be changed.

HON LT-COL E M BRITTO:

Apart, Mr Speaker, of helping to reduce the Civil Service, what other major advantage is there from Government's point of view? I would have thought that there was a financial saving but the Hon Minister has already ruled that out. Is there any other advantage?

HON M A FEETHAM:

Mr Speaker, we would not be doing this unless there were advantages in proceeding with the proposal. Also let me say that when we talk about restructuring, when we talk about finding people alternative areas of employment in Gibraltar, we also take into account that if there is going to be a particular sector of our economy that is going to experience growth, that it would be quite frankly unfortunate that the Gibraltarians should not be ready to grasp those opportunities. It is clear that the property aspects of the economy are increasing as can be seen by the number of developments that have started and will start. Therefore we are giving the staff the opportunity, in being our property managers, of also competing for the growth which there will be in the private sector and therefore increase their security by the steps that we have taken. They will therefore be given the opportunity to make more money in the process. It is therefore, Mr Speaker, a matter of joint benefit.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Will Government say whether the revision of the Housing Waiting List has now been completed and, if not, give an estimated date of completion?

ANSWER

THE HON THE MINISTER FOR HOUSING

Yes, Sir.

SUPPLEMENTARY TO QUESTION NO. 74 OF 1990

HON LT-COL E M BRITTO:

Thank you, Mr Speaker. Will the Minister undertake to provide me with a copy of the revised Waiting List?

HON J L BALDACHINO:

No problem, Mr Speaker, the Hon Member will be provided with a copy.

HON LT-COL E M BRITTO:

I thank the Hon Minister for his cooperation.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Will Government say whether the resignations of the two UK Directors from the Board of GSL was on the initiative of those directors or at the request of the Minister for GSL in his capacity as Chairman of the Board?

ANSWERTHE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, the resignation of the two UK directors from the Board of GSL was at my request but after discussion with them.

SUPPLEMENTARY TO QUESTION NO. 75 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, is the Government prepared to make any further disclosures other than what the Hon Minister has just said as to why the resignations were requested?

HON J E PILCHER:

Mr Speaker, at the time I gave GBC an extensive interview on the matter, so it is public knowledge.

HON LT-COL E M BRITTO:

Mr Speaker, I do not think that I was in Gibraltar at the time and I did not definitely hear what the Minister said on television and by the way that, as I understand it, is not a public record.

HON J E PILCHER:

Mr Speaker, there is no problem. I will explain the reasons again. After the final restructuring in December last year the company is now a much smaller company and there were three elements involved: (a) a smaller company did not need as big a Board of Directors as it required when it was a bigger company; (b) because we were looking at every aspect of expenditure the financial outlay of bringing UK directors to Gibraltar, although minimal, still incurred travel and accommodation costs plus their fees; and (c) if one goes back to 1988, I remember advising the House that we were keeping Mr Peter Simonis and Mr John Steele with us, as part of the Board of Directors, because we felt that there was a requirement for a transitional stage between what there existed and what there now was. I think that that transitional stage was amply satisfied by that stage.

Therefore for the above three factors, I spoke at length, to both John Steele and Peter Simonis and after that discussion they agreed to resign. Let me add that both Mr John Steele and Mr Peter Simonis have written to me personally and to the company thanking us for the relationship and the work done with us.

HON LT-COL E M BRITTO:

Mr Speaker, is it not a fact that there is a fourth factor that these directors were unhappy with some aspects of the operation of GSL and that the resignations would have happened in any case?

HON J E PILCHER:

No, Mr Speaker, and if the Hon Member wishes I will make available, confidentially and privately, the letters of both the directors to me after their resignation from the Board. They show how delighted they had been working with us until the stage that they had to leave.

HON LT-COL E M BRITTO:

Thank you, Mr Speaker. There is obviously no need for that because I accept the Hon Minister's word for what he has just said.

MR SPEAKER:

Next question.

THE HON P C MONTEGRIFFO

Will Government confirm the current monthly losses at GSL and its associated joint venture companies and their present extent of liability to Government and other creditors?

ANSWERTHE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, as we have already said on countless occasions, the Government is not prepared to give the information the Hon Member is asking for.

SUPPLEMENTARY TO QUESTION NO. 76 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, does the Government not accept that the yard is in a situation of deepening crisis?

HON J E PILCHER:

No, Mr Speaker.

HON P C MONTEGRIFFO:

Does the Government not accept, Mr Speaker, that Members on this side of the House have a duty to monitor, as closely as Mr Pilcher, the state of the yard and the wellbeing of the workers?

HON J E PILCHER:

Yes, Mr Speaker.

HON P C MONTEGRIFFO:

And to that end how does the Hon Minister expect us to do that if they refuse to give basic information about losses in a fast deteriorating situation? Are we supposed to be magicians?

HON J E PILCHER:

The Hon Member opposite, Mr Speaker, is again making wide sweeping statements which are not correct. As regards the monitoring we have a situation today, which we have always had at GSL, from the point of view of the House of Assembly where the situation at GSL will be discussed, at length, when we have finished the six months period of the final phase of the restructuring and when I bring the audited

accounts for 1989 to the House. In the meantime it is my responsibility to monitor GSL and the responsibility of the Government and that is being done on a day-to-day basis, on an hour-to-hour basis and on a minute-to-minute basis. Mr Speaker, therefore none of the statements that the Hon Member made a minute ago are correct.

HON P C MONTEGRIFFO:

Is the Government aware, Mr Speaker, that there are or have been, large numbers of workers coming into GSL to work every morning and then lying idle for weeks on end because there is no work for them to do?

HON J E PILCHER:

Mr Speaker, that is utter nonsense.

HON P C MONTEGRIFFO:

Mr Speaker, I have information that, in fact, as a result of changes within the yard, the situation arises where many people are simply lying idle with nothing to do, effectively unemployed but still on GSL's payroll?

HON J E PILCHER:

Mr Speaker, the Hon Member opposite, obviously, makes himself responsible for that statement but that is not the information that we have.

HON P C MONTEGRIFFO:

So, Mr Speaker, as far as the Government is concerned every single GSL worker and every single joint venture GSL worker is gainfully employed in useful occupation at present?

HON J E PILCHER:

At different levels, Mr Speaker, but certainly, yes. And as far as GSL is concerned absolutely yes.

HON P C MONTEGRIFFO:

Mr Speaker, is the Minister prepared, even on a confidential basis, to make available to us, Members of the House, copies of Management Agreements for GSL? Because would the Hon Minister not accept, Mr Speaker, that in a situation where the matter is moving so quickly that looking at Accounts that are even six months old is an artificial picture and that if he wants people on this side of the House to understand the position then there should be a commitment that Management Accounts be provided albeit on a confidential basis?



HON J E PILCHER:

No, Sir, for two reasons. On the one hand because, obviously, as I have already mentioned, this is the responsibility of the company and not the Government, in its role as Government. Therefore by sharing it with the Members opposite it goes beyond company responsibility. However, the second position, which I think the Hon Member is aware of, is that Management Accounts are virtually that, Accounts that reflect on a month-to-month basis, what is happening to the company but are subject, obviously, to major amendments the following month as one sees the transactions occurring and the contracts closing. This is particularly pertinent to an area like Gibraltar Shiprepair which is an area where you open and close contracts and are working on a vast range of work in progress. Therefore we felt that the best possible way was to present the picture of six months and which we will be doing, like we did last year, reviewing the business, not only in 1989 when we present the Accounts but reviewing the business like we did when we presented the 1988 Accounts.

HON P C MONTEGRIFFO:

Mr Speaker, is the Hon Minister then in a position to project whether come June 1990, the company will be suffering the same or greater levels of losses than has been the case in its recent history? He was reluctant on television to give a view but we are now very close to June and is he in a position to make a prediction on the position?

HON J E PILCHER:

No, Mr Speaker, I would prefer not to.

MR SPEAKER:

Next question.

THE HON A J CANEPA

Is the Minister for GSL in a position to give information explaining progress made in achieving the objectives which he set himself last December?

ANSWERTHE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, we have just been discussing the matter and as I have said the position will be reviewed in June.

SUPPLEMENTARY TO QUESTION NO. 77 OF 1990

HON A J CANEPA:

And in the last four months has there been no progress in achieving these objectives, Mr Speaker? Or is it that the Hon Minister is not prepared to say whether there has been progress?

HON J E PILCHER:

Of course, Mr Speaker, there has been progress. But I think that the monitoring exercise has to go over the six months. And as I have mentioned in the previous question, we feel that until such time as we have the six month accounts and we do a six monthly audit of the company, we shall not be in a position to make comments or statements which could be misleading and their accuracy have to be amended for the reasons stated before in answer to the previous question.

HON A J CANEPA:

Mr Speaker, last December we were debating the Accounts and the Auditor's Report for 1988, does the Hon Minister now have some information relating to the financial outturn for 1989?

HON J E PILCHER:

Mr Speaker, we do not yet have even the first draft of the 1989 Accounts.

HON A J CANEPA:

But, Mr Speaker, the review that is taking place and the decision of monitoring over a period of six months ending in June, is that not likely to be affected by the outturn for 1989? And does he not need to have the information that I am talking about before June?

HON J E PILCHER:

Yes, Mr Speaker, that is another of the elements. The opening position for GSL on the 1st January, which will not be finally identified until we have the Audited Accounts for 1989, is absolutely essential in that monitoring process from January to June, 1990. We hope to have the 1989 Accounts before the end of June even if they are in first or second draft form.

HON A J CANEPA:

Will the Hon Minister therefore undertake, Mr Speaker, to make a detailed statement here in the House before the summer recess? I do not know when the meeting of the House will be but the period under review ends on the 30th June. Assuming that the House meets before we recess, let us say in July or August, will the Hon Minister undertake to make a detailed statement in the House that will update the situation in the light of the monitoring exercise and in the light of the Auditor's Report for 1989?

HON J E PILCHER:

Yes, Mr Speaker. I will commit myself to that with the exception that I cannot commit myself to the date because obviously I will not be able to come back to the House immediately after June. I would not want to commit myself because I would be misleading the House in saying that it could be ready by July when it may not. Because as the Hon Member opposite understands, the June Accounts for the company will not be ready until at least the second or third week in July. That is the normal Management Accounts. And if we are going to do a six monthly interim audit then that might take even longer, Mr Speaker. So I cannot commit myself to a timescale before the summer. If that were possible then I would be more than happy to do so. But I cannot commit myself, Mr Speaker.

HON A J CANEPA:

Will the Hon Minister further undertake, having regard to the importance and the relevance of Accounts for 1989 in the decisions that he has to take, to try to ensure that that Report is tabled here in the House by that date? To enable us, even if we are not ready to debate the Accounts, to understand the position and what the Hon Minister will say?

HON J E PILCHER:

Mr Speaker, if the company's final Audited Accounts are not ready at the time when we give a full statement of what has happened between January and June we will provide some kind of statement for 1989 to help Members opposite .....

HON A J CANEPA:

An interim statement?

HON J E PILCHER:

Yes. If the Report is ready then it will be tabled at the same time.

HON A J CANEPA:

I am grateful for that, Mr Speaker.

MR SPEAKER:

Next question.

26.4.90

NO. 78 OF 1990

ORAL

THE HON A J CANEPA

Will the Government undertake to honour their electoral pledge that there will be no compulsory redundancies at GSL?

ANSWER

THE HON THE MINISTER FOR GSL AND TOURISM

Answered together with Question No. 79 of 1990.

THE HON P C MONTEGRIFFO

What is the Government's position on its previous guarantee to the workforce that there would be no redundancies at the yard?

ANSWERTHE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, during the course of the election campaign in 1988, the GSLP gave a commitment to the permanent resident workforce, that if it won the election it would stop the redundancies proposed by the Board of the company and approved by the AACR Government. This commitment has been honoured.

SUPPLEMENTARY TO QUESTION NOS. 78 AND 79 OF 1990

HON A J CANEPA:

Will the Hon Minister explain, Mr Speaker, who are the permanent resident workforce of GSL? Permanently resident in Gibraltar? Who are they?

HON J E PILCHER:

Mr Speaker, those who are permanent employees and resident in Gibraltar.

HON A J CANEPA:

Mr Speaker, does that commitment apply if workers are conveniently transferred to a joint venture company, such as GLS, after the event?

HON J E PILCHER:

Yes, Mr Speaker.

HON A J CANEPA:

It does apply. So no one at GLS, or any other joint venture company, will be made compulsorily redundant?

HON J E PILCHER:

Mr Speaker, what is happening with Gibraltar Labour Services, which is the company that the Hon Member opposite is referring to, is that the company is looking for suitable alternative employment for those individuals. The only

situation that might arise, and which to a point contradicts the statement that I have just made, is if the people who are found suitable employment refuse to accept it. In which case, obviously, we cannot guarantee anybody a job for life, Mr Speaker.

HON A J CANEPA:

Suitable employment, as deemed by Management, by the Union or by the men concerned?

HON J E PILCHER:

Mr Speaker, in consultation obviously with the Union and the individual concerned.

HON A J CANEPA:

Mr Speaker, does the Hon Minister not consider that what he has said here in the House should have been made public, and properly clarified, when the controversy arose a few weeks ago?

HON J E PILCHER:

No, Mr Speaker. There was a controversy apparently in "Area" and which the Hon Member has reminded me, on various occasions in this House, we should not even talk to. I assure the Hon Member opposite that as far as I am concerned the people who have to know are the people concerned and I assure him that the people working at the moment in GLS have been consulted and have been advised since day one, Mr Speaker.

HON P C MONTEGRIFFO:

Mr Speaker, is the guarantee one that will apply even in the event of the yard being sold or a change of ownership taking place? As reports have it?

HON J E PILCHER:

Yes, Mr Speaker, the guarantee applies.

HON P C MONTEGRIFFO:

As well as in the case of those joint venture companies that would be affected in such a situation?

HON J E PILCHER:

Yes, Mr Speaker.

NO. 80 OF 1990

ORAL

THE HON G MASCARENHAS

Will Government state the amount collected in airport departure tax for the calendar year 1989?

ANSWERTHE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, the Government collected £487,185 in departure tax for the calendar year 1989.

SUPPLEMENTARY TO QUESTION NO. 80 OF 1990

HON G MASCARENHAS:

Mr Speaker, will the Hon Minister confirm that the £5 tax was introduced in April of last year?

HON J E PILCHER:

Yes, Sir.

HON G MASCARENHAS:

Mr Speaker, having regard to the tabling this morning of the Air Traffic Survey, would the Hon Minister try to explain, if not right now perhaps at a later stage, that in reply to Question No. 36 of this year between the 1st April and the 31st December, 1989, the answer to the same question was £415,572 and I am not misleading the Hon Minister, it is in Hansard, and the Government had budgetted for 1989 £600,000. Having regard to what the Hon Minister has tabled this morning in this House, will he clarify the reason why the number of seats used, that I have taken the figure from between April and December, 1989, which I make out to be a total of 139,600 which multiplied by £5 would make the revenue total £698,000, I repeat, £698,000. Why the figure of only £415,000 has been recovered? There is a shortfall of £282,000, Mr Speaker.

HON J E PILCHER:

Mr Speaker, I think the confusion in the Hon Member's mind is that we had a situation in January, February and March, 1989, when the departure tax was at £2. On the 1st April the departure tax was increased from £2 to £5 but the Government share of that departure tax is £3 and £2 is passenger service payment paid to Gibraltar Airport Services Ltd. If the Hon Member does his figures in this manner he will arrive at the figure I provided.



ORAL

NO. 81 OF 1990HON G MASCARENHAS

Will the Minister for GSL and Tourism give details about the proposed fee for access to the Upper Rock?

ANSWERTHE HON THE MINISTER FOR GSL AND TOURISM

No, Sir, there are no details because at this stage there is no proposed fee for access to the Upper Rock.

SUPPLEMENTARY TO QUESTION NO. 81 OF 1990

HON G MASCARENHAS:

Will the Hon Minister confirm whether he has had meetings with the people concerned, the taxi drivers and the public service vehicle operators, about the introduction of a fee to gain access to the Upper Rock?

HON J E PILCHER:

No, Sir. I have not held meetings with the taxi drivers or the public service vehicle operators as regards payment for access to the Upper Rock. What I have had is long and detailed meetings with the public service vehicle operators and the taxi drivers as a result of the Traffic Guides Regulations 1989 and the Traffic Tour Regulations 1989. These involved administrative charges for a Rock Tour and controls Rock Tours in Gibraltar. This is something about which I made a public statement some two months ago when I spoke about the introduction of the Apes Den on the 1<sup>st</sup> June. It concerns a charge which, in any case we are not going to levy because we have decided, in conjunction with the public service vehicle operators and the Taxi Association that the administrative charge which is included in the Regulations will not be levied. We have discarded that possibility. I think those meetings are the ones that the Hon Member opposite is referring to, not about a charge for access to the Upper Rock.

HON G MASCARENHAS:

What the Hon Minister is actually saying is that there will be no charge to gain access to the Upper Rock?

HON J E PILCHER:

Yes, Mr Speaker, that is what I said in my initial answer but I have explained the position further to clear the confusion in the mind of the Hon Member opposite about the access to the Upper Rock.

HON G MASCARENHAS:

Mr Speaker, there was no confusion in my mind whatsoever. I declare an interest in the matter, Mr Speaker ...

HON A J CANEPA:

The present Members of the AACR are never confused, Mr Speaker.

HON J E PILCHER:

Do I then take it, Mr Speaker, that anybody who is a past member of the AACR can be confused?

HON A J CANEPA:

Mr Speaker, I decline to answer.

HON G MASCARENHAS:

Mr Speaker, having declared an interest. My information was very clear that there was going to be a f2 charge with effect from the 1<sup>st</sup> June of this year to gain access to the Upper Rock. The charge would include entrance to the new Monkey Park, St Michael's Cave, etc.

HON J E PILCHER:

Mr Speaker, the bottom line is that this idea has been discarded.

HON G MASCARENHAS:

When was it discarded, Mr Speaker?

HON J E PILCHER:

Mr Speaker, it was discarded certainly since three weeks ago when I wrote officially to the public service vehicle operators and the Taxi Association. In fact, a meeting was held to look at the final proposal which does not contain anything about administrative charges for visiting the Upper Rock. What I am saying to the Hon Member, for clarification, is that it was not a charge levied for entry into the Upper Rock. It was a charge levied under the Tour Guides Regulations, an administrative charge for the Rock Tours, which as part of the deal would have incorporated St Michael's Cave and the Apes Den. That is now historical because it has been discarded.

HON G MASCARENHAS:

Whilst on this question, Mr Speaker, may I ask the Hon Minister to confirm that the only new charge on the Upper Rock will be the Monkey Park when that becomes operational at 50p?

HON J E PILCHER:

That, Mr Speaker, is all that is being proposed as a new charge. I have already announced that it is our intention to increase the fee to St Michael's Cave from £1 to £1.50.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Will the Chief Minister confirm that the discussions taking place for an increased participation in the role that may be required in 1991 by the Gibraltar Regiment is on the basis that the Gibraltar Regiment will be a part of the British Army?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, there are no discussions taking place with the Gibraltar Government. The position as regards the discussions within MOD with the Gibraltar Regiment have already been made public by them.

SUPPLEMENTARY TO QUESTION NO. 82 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, during a debate in this House last February, I think it was, and I am quoting from Hansard, the Hon Chief Minister interjected precisely using the words which I have used in my question today. The Hon Chief Minister said: "Can I correct the Hon Member" - the Hon Member being myself - "let me say to him that in fact the discussions already taking place for an increased participation in the role that may be required in 1991 by the Gibraltar Regiment is on the basis that the Gibraltar Regiment will be part of the British Army". My question to the Hon Chief Minister is therefore: "Is the Hon Chief Minister now telling us that he is not involved in the discussions?" But, obviously, at that stage, he must have been aware of the discussions and what they were about? And if he, at that stage, was saying that the discussions were aimed at being a part of the British Army and we now know from the announcement made by General Ramsbottom when he was here some months ago and more recently from the Press Release issued by Fortress Headquarters, which is misleading, because it says that the Regiment is going to be an integral part of the British Army and then it says it is not going to change its status. Now, Mr Speaker, if it is not going to change its status it is not going to be part of the British Army. In the light of all that can the Hon the Chief Minister enlighten us on what has changed since last February?

HON CHIEF MINISTER:

Mr Speaker, what has changed is that the Gibraltar Regiment and the MOD have reached an agreement, and I have not negotiated that agreement, and therefore I cannot say to the Hon Member why the Gibraltar Regiment has settled for

what it has settled. Except that I understand that they are as close as they can be to being in the British Army with being in Northern Ireland, which I understand, is a place nobody wants to be.

HON LT-COL E M BRITTO:

With respect, Mr Speaker, the Gibraltar Regiment does not negotiate because that is not the way the Army works. The Gibraltar Regiment will have been told the results of what the MOD has decided. Let me say at this stage, Mr Speaker, whilst obviously declaring an interest in the matter, that I speak in my own personal capacity without any knowledge which has been acquired from the Regiment for whom I do not carry a brief and acting only from knowledge that I have acquired from the media. Mr Speaker, having clarified my position, let me say to the Hon Chief Minister that, as I mentioned last February, the Regiment cannot negotiate. My intention last February was to, through the Chief Minister ask the Gibraltar Government to do its utmost to influence the decisions that would be taking place by asking the Hon Chief Minister to play a significant part in the consultations and in the process of dialogue that had been announced as well as in influencing the British Government along the lines that he himself had indicated he would like to see happening.

HON CHIEF MINISTER:

The Hon Member opposite is the former Commanding Officer of the Gibraltar Regiment and he must know how dictatorial the MOD was with him when he was in command of the Regiment. Mr Speaker, I am not and never have been, a military man and I am therefore not in a position to challenge his expertise in that field. Maybe in this new democratic era with the GSLP in Government the MOD is more of a listening partner than it used to be when he was there but my understanding is that the final settlement, which may not be 100% of what the Gibraltar Regiment wanted, is as close as possible to the 100% and is considered satisfactory by those affected. That is the informal feedback that I have. If it is not the informed feedback that the Hon Member has then I am afraid that if people want me to do something about that they should not wait for the Hon Member to put a question in the House. They have an open door.

MR SPEAKER:

Next question.

NO. 83 OF 1990

ORAL

THE HON A J CANEPA

Has the Government now received details from the MOD regarding lands to be transferred, particularly in respect of housing units?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, I have received a letter from Mr Hamilton, the MOD Minister, outlining proposed land releases as a basis for discussion but these do not include any housing units. I have been promised information on the proposed release of housing units in July.

SUPPLEMENTARY TO QUESTION NO. 83 OF 1990

HON A J CANEPA:

Mr speaker, does the Hon the Chief Minister have any indications regarding the housing units and whether they could become available for the general housing waiting list or are they just earmarked for personnel to be employed by the Gibraltar Regiment?

HON CHIEF MINISTER:

No. I imagine that what they are proposing to release to us is in addition to whatever they retain as part of the MOD housing stock for Gibraltar Regiment personnel.

HON A J CANEPA:

In addition to what they are going to retain?

HON CHIEF MINISTER:

Yes, Mr Speaker.

HON A J CANEPA:

They are going to retain housing stock that will be allocated to personnel of the Gibraltar Regiment?

HON CHIEF MINISTER:

That is the case, Mr Speaker.

HON A J CANEPA:

And apart from that there may be some other housing units available for the general public?

HON CHIEF MINISTER:

But at this stage, Mr Speaker, we do not know what they are talking about although I would not want to raise anybody's hopes because I think experience shows that when they release they tend to release what is in the worst state.

MR SPEAKER:

Next question.

NO. 84 OF 1990THE HON P C MONTEGRIFFO

Will Government give a breakdown of the contribution of each of the sectors of the economy to GDP for the years 1980/81 to 1988/89 and of its projections for the contribution of each sector for the next two years 1989/90 and 1990/91?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the information requested from 1980/81 is not readily available from past records. However, I will seek to give as accurate a picture as possible, with the data available when I present the Appropriation Bill. I will at the same time indicate the possible changes over the next two years.

SUPPLEMENTARY TO QUESTION NO. 84 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, can the Hon the Chief Minister indicate at this stage what statistical information he, basically, will have recourse to, in making these projections, bearing in mind my understanding which has been confirmed by him, that there is a dearth of reliable statistics in a whole variety of factors which are required for this?

HON CHIEF MINISTER:

Mr Speaker, I can only use what information there is.

HON P C MONTEGRIFFO:

I know, Mr Speaker, but even what there is from the Chief Minister's own assessment, for example, employment figures, contain a huge amount of discrepancy between the different types of assessment of employment levels. What I am trying, in all frankness, is ask the Chief Minister that in projecting the Government targets has he opted for a particular set of figures or is he using methods as were used prior to the GSIP coming into office?

HON CHIEF MINISTER:

Mr Speaker, the employment figures to which the Hon Member is referring has absolutely nothing to do with the calculation of GDP. It is totally irrelevant.



HON P C MONTEGRIFFO:

Mr Speaker, I do not accept that but let me then try and build this case up. Does the Government accept the accuracy of the GDP and GNP figures as published in the Abstract of Statistics 1988? Is the Government's position that it accepts the accuracy of the figures as presently published up to the end of 1989?

HON CHIEF MINISTER:

Mr Speaker, the Hon Member has just said that there are discrepancies in the calculation of employment level and I have told him that that has nothing to do with the GDP. He has then stood up and said that he does not accept it. Now, Mr Speaker, that indicates to me that his understanding of the subject matter on which he is questioning me is rather limited. The information that is published is the information that is available to the Government and is the information that was calculated using a certain methodology before we came into office. What I have promised the Hon Member is that I will look at what is available and I will try, between now and the debate on the Appropriation Bill, to produce as accurate a picture as possible. I do not know, Mr Speaker, what the Hon Member expects me to say.

HON P C MONTEGRIFFO:

What I expect, Mr Speaker, is that the Hon the Chief Minister answers my question. My supplementary question was "Does the Chief Minister accept, notwithstanding the reservations that we both have on the figures, that the figures as published in the Abstract of Statistics are correct, as far as the Government is concerned?" Does the Government feel they are accurate or not?

HON CHIEF MINISTER:

Right, Mr Speaker. Therefore if the Hon Member is able to think logically he must know that one can only judge whether something is correct if one is able to compare that something with something else. If one has only one set of figures, then one cannot know how accurate that particular figure is. All I can tell the Hon Member is that the figures that are available are the figures that have always been available. Consequently, if you have two sets of figures and what the Hon Member is interested is in the movement between Set A and Set B and if there is a margin of error in A and there is the same margin of error in B then that does not affect the movement between the two which is what he is asking me.

HON P C MONTEGRIFFO:

Then, Mr Speaker, as I understand it, the Government in making its projection for the next two years will use the same basis of statistical information as has been used in the last X

years as published in the Abstract and which will have the margin of error, unquantified at present, which we all understand is there. So if the Chief Minister will confirm that, Mr Speaker, I assume he is also confirming, therefore, that there is no fundamental change in the collection of statistics which was something that the Government was, as previously mentioned by them, interested in doing.

HON CHIEF MINISTER:

Mr Speaker, there has been no fundamental change in the collection of statistics. There has been a review of the system in terms of the compilation of the GDP as opposed to the GNP and in respect of how the MOD is treated as part of the domestic economy. I will be able to explain that, Mr Speaker, when I give the statement I have promised to give when we consider the Appropriation Bill. Mr Speaker, this will be a statement which I am qualifying by saying, when the time comes, it has to be understood that I am doing that with a caveat that I will be doing it with the level of accuracy that it is possible to achieve.

HON P C MONTEGRIFFO:

That being the case, Mr Speaker, since we are working within a level of accuracy not so dissimilar from the level of accuracy that we could obtain before, would the Chief Minister then accept, for example, that in the last four years, as published in the Abstract, GDP has seen a growth of about 50% as far as published figures are concerned?

MR SPEAKER:

I must stop the Hon Member because we are now anticipating what the Chief Minister has said he will actually go into when the Appropriation Bill is debated. That is the end of the matter. Next question.

NO. 85 OF 1990THE HON P C MONTEGRIFFO

What are the Government projections for increase in per capita output for the next two years, 1989/90 and 1990/91?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, Government does not make projections for increases in per capita output.

SUPPLEMENTARY TO QUESTION NO. 85 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, in assessing the Government's targets for economic growth, a term I think, recognised by all as being fairly vague in itself and in identifying economic growth, a reference to GDP or GNP, is it not the Hon the Chief Minister's view that that figure only has any relevance to the real wealth which we create by reference to the per capita figure that each of us is responsible for and therefore is the Chief Minister not in a position to give some prediction for those figures?

HON CHIEF MINISTER:

No, Mr Speaker. The answer is the one that I have already given the Hon Member. The Government does not make projections on the basis of per capita output and the Government does not accept that in the nature of Gibraltar's economy per capita output has any meaning whatsoever. It is a totally irrelevant statistic.

HON P C MONTEGRIFFO:

So as far as the statistic which appears in the Abstract is concerned, per capita output, I understand the Government's position to be that in assessing its own target of growth and in asking us to assess your performance on that basis regard should not be had at all, either to previous figures in respect of per capita output or as indeed those figures might appear in future years? The Government, Mr Speaker, will be looking at GDP and GNP primarily as a record for economic growth?

HON CHIEF MINISTER:

Not entirely, Mr Speaker. The Government will be producing new statistics which it considers to be a more accurate reflection of what is happening in the economy but it will not be relying on the figures to which the Hon Member is referring which is per capita.

HON P C MONTEGRIFFO:

I am grateful for that, Mr Speaker. Precisely therefore in seeking to have the Government confirm what figures and what targets it will pin its performance on, could the Hon the Chief Minister indicate what is, in fact, the criteria by which the Government's growth performance is measured and assessed?

HON CHIEF MINISTER:

Mr Speaker, I am not sure whether the Hon Member understands the terminology that he is using. The growth of the economy is not measured in per capita output, it is a global growth. So therefore in looking at the growth of the economy, the Government will not be dividing that growth by the size of the resident population. In any case in a situation where there is an element of frontier workers, measuring the output of the economy as if there were no frontier workers, which is what he is asking us to do, is of no use to anyone.

HON P C MONTEGRIFFO:

Mr Speaker, I am not asking him to do that and he knows that full well. I am asking the Chief Minister a simple question. The Chief Minister has set himself and his Government a target of 50% economic growth. That is one of the fundamental cornerstones of this Government's policy for better or for worse. I am asking the Chief Minister, bearing in mind the differences in assessment of that largely vague term, can the Chief Minister explain to this House by what criteria, by what terms of measurement does he expect us to put that target to the test?

HON CHIEF MINISTER:

Mr Speaker, I am trying to explain to the Hon Member opposite the terminology he is using because the nature of his questions clearly demonstrate to me that he does not understand what he is talking about. If we say the economy of Gibraltar is going to grow by 50% in real terms over four years, what we are talking about is either the GNP of Gibraltar or GDP of Gibraltar excluding inflation. That, Mr Speaker, is Question No.84 of 1990 to which I have already given a reply.....

HON P C MONTEGRIFFO:

But the Chief Minister has already.....

HON CHIEF MINISTER:

I have not finished, Mr Speaker. The Hon Member is a very impatient young man, so impatient that he could not wait for the Leader of the Opposition to bid us all farewell, but he has to wait for me to finish answering him. Mr Speaker, the

question he is asking me now is what are our projections for increase in per capita output. So he is therefore asking me to give him a projection. I know, Mr Speaker, that he does not understand anything about economics but he should understand the English language. He is saying to the Government: "What is the Government's projections for per capita output?" My reply to him, Mr Speaker, is that we do not have projections for per capita output. Why not? We are not saying that they are inaccurate, we are saying that they are useless. They serve no useful economic purpose and therefore we are not going to be saying to people "per capita output has gone up by so much". Because in case he does not understand it, I will tell him what the effects of measuring per capita output is.....

HON P C MONTEGRIFFO:

Mr Speaker, I want my question answered.

HON CHIEF MINISTER:

And I, Mr Speaker, am trying to answer the question in the Order Paper.

HON P C MONTEGRIFFO:

Mr Speaker.....

HON CHIEF MINISTER:

I have not given way, Mr Speaker. The last question the Hon Member has put to me is: "How are we going to measure this 50% growth?" And he is putting that question in a supplementary where he is saying to me "What are our projections for per capita output?" I have told him that we do not make projections for per capita output. He then wants to know "Why we do not make projections for per capita output? Is it that we accept his interpretation of the statistics that they are inaccurate?" And I then have to explain to him why we do not make projections. And he then asks me "What is the relevance of the 50% economic growth if it is not related to per capita output?" I will tell him, Mr Speaker, why it is pointless to talk about per capita output. Because per capita output is the output of the economy of Gibraltar divided by the resident population of Gibraltar. That means that without any change in the economy, if you have more people moving from the Campo Area to Gibraltar, as a result of more housing, per capita output will go down. If you have an increased reliance on commuting frontier workers, per capita output will go up. That shift, unless you understand how the economy works, will not be telling us anything at all about the standard of living or the wealth of the economy. Therefore although per capita output might have been a useful figure with a closed frontier, it is a meaningless figure with an open frontier. That is why we do not make a projection for per capita output. If he understood how per capita output is calculated he would not be asking me, Mr Speaker.

HON P C MONTEGRIFFO:

I well understand how it is calculated, Mr Speaker, and the Hon the Chief Minister's replies are misleading and he does not answer the question. We have already dealt with the per capita point and I accept his view of that. I would now like an answer to the following and it is very simple. The Chief Minister has indicated that in measuring growth, which is a fundamental cornerstone of his Government's policy, regard would be had to GDP and GNP and he said, five minutes ago, to various other factors which, I think, are also important.....

HON CHIEF MINISTER:

What is the question, Mr Speaker?

HON P C MONTEGRIFFO:

In establishing the degree of growth. What I am saying, Mr Speaker, is can the Hon the Chief Minister indicate so that we can judge the performance of the Government, what other factors, to measure that growth, the Chief Minister has in mind apart from GDP and GNP?

HON CHIEF MINISTER:

Mr Speaker, I have not said various other factors. I have said that we will use other measures of growth than per capita output. When those measures are used I will give the Hon Member an explanation of what the measure is and how it is calculated so that he will be able to understand it. But we are not using anything else at the moment other than GDP and GNP because there is no other statistics, at the moment, in place published or being referred to. So it is not a question that we are saying to people "We are measuring the growth by reference to X" and the Hon Member does not know what "X" is. We are not doing that. When we do it I will explain it to him.

HON P C MONTEGRIFFO:

That, Mr Speaker, is the answer I wanted.

MR SPEAKER:

Next question.

THE HON P C MONTEGRIFFO

Will the Government confirm what percentage of the proposed increase in employment in the private sector to reach its stated target of 8,000 jobs in 1992, will be a replacement of employment lost in the public sector during that period?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the Government would expect that 8,000 jobs in 1992 will be sufficient to compensate for the jobs lost in the public sector.

SUPPLEMENTARY TO QUESTION NO. 86 OF 1990

HON P C MONTEGRIFFO:

I accept that, Mr Speaker. But in terms of percentage, the answer I am seeking is in the growth from present public and private sector employment to the projected private sector employment at the end of 1992, to what extent is the Government projecting that that increase will simply mop up public sector loss of jobs or increase in private sector jobs other than as a result of a move from the public sector? Is the Government not in a position to clarify that aspect of the matter?

HON CHIEF MINISTER:

No, Mr Speaker, because the Government does not know what public sector jobs will be lost in the next two years. We therefore cannot relate one to the other. However, in our calculation it will not be more than the 1,200 odd jobs that the projection of 8,000 for 1992 implies. What I can tell the Hon Member is what we calculate has happened in the first twelve months of the Government and what happened in the twelve months before. Therefore I can say that in the last twelve months of the previous administration, according to the published statistics, the economy in terms of jobs, according to the Employment Surveys, grew by 151 jobs and of that 15 additional jobs in the public sector and 136 were additional jobs in the private sector. We calculate that the order of jobs in the subsequent twelve month period, ie from April 1988 to April 1989, will be that the economy has grown by 1,000 jobs and that the public sector has declined by 200 jobs giving us a net growth of 800. That is to say, that the 1,000 jobs would be 1,000 additional jobs in the private sector compensating for 200 lost in the public sector. We do not expect that that will be the trend over the next three years. What we are expecting in fact, is a much closer relationship between the additional jobs in the private sector and the job reductions in the public sector.

THE HON P C MONTEGRIFFO

Will Government indicate the number of reductions, abolitions or non-renewal of posts which it is seeking to make in the Government public sector over the next two years, identifying the posts and areas of present Government functions that will be primarily affected?

ANSWERTHE HON THE CHIEF MINISTER

No, Sir, this is a matter for discussion between the Government and its employees.

SUPPLEMENTARY TO QUESTION NO. 87 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, I am not asking the Government for the specific way in which the reductions will take place. That, I understand, is a matter for negotiation. I am talking about the Government's projections for job increases in the private sector and job losses in the public sector. I am sure the Government has its own projections and targets? Surely, the Government can indicate the number of posts and the areas in which, as a matter of Government policy, it is seeking to make those savings? Those changes?

HON CHIEF MINISTER:

No, Mr Speaker, the Government is not working towards a pre-planned blueprint of which I can give the Hon Member a copy. The Hon Member is talking about an indication of the number of reductions, the number of abolitions and the number of non-renewal of jobs. If the Hon Member knows anything about how the system works he would know that, in fact, abolitions, reductions and non-renewals are the result of a constant review of Government activities and which is taking place all the time. In fact, whilst I am talking here there might be a situation where a new job is not going to be renewed or abolished or reduced in grading. However, anything like that, as far as we are concerned as a matter of policy, we are not prepared to make public beforehand. As far as we are concerned, if we have any ideas in that direction then we discuss it with those affected. Then if we do not reach agreement and it does not happen it is irrelevant because, as far as we are concerned, when we announce something it is because it is going to happen.



HON P C MONTEGRIFFO:

Mr Speaker, does the Chief Minister not accept in the light of his answer just now, that the prediction for the amount of employment in the private sector that will mop up from the public sector, looking at it or focussing it from the Government sector, are extremely vague and almost useless as instruments of explanations to people, if the Government is not now able to indicate the extent to which it thinks it can trim the public sector further? Because really what the Chief Minister is saying is that he does not know where he will be in a year's time. As far as I was aware, the Government knew where it would be in a year's time and in two year's time, I thought, Mr Speaker, that the bus had been stopped and we were now going in a new direction?

HON CHIEF MINISTER:

Well, Mr Speaker, we are going in a new direction. Since April 1988, and for the first time, private sector employment has exceeded public sector employment and we expect that trend to continue. All one can do, Mr Speaker, in making projections of this nature, is to give an order of events. I can say, Mr Speaker, that we are looking towards a situation where the number of jobs in the private sector will be of the order of 8,000. That does not, however, mean that I can tell the Hon Member that out of those 8,000 one will be the non-renewal of this job in the Government Secretariat. The other will be the abolition of this other job in that place. No business, Mr Speaker, runs or works like that. We have an overall target of 8,000 and that is the overall target, in our assessment, at this stage. However, that could change in three month's time if the MOD suddenly announces that they are going to introduce cuts in some places of which we are now not aware today. But in our assessment, on present knowledge, on the present level of job creation in the private sector, given that the main strategy of the Government is not the creation of jobs per se but the creation of economic activity, we think the economy will achieve 8,000 jobs in the private sector by 1992. And we think that that level of 8,000 will be more than sufficient to absorb any reduction in jobs in the Gibraltar Government, in the PSA and in MOD. As regards the internal restructuring of Gibraltar Government Departments, and which I think is what this question is about, the Government is identifying the areas over the next two years and the functions that will be affected, as a matter of Government policy, does make announcements beforehand. It discusses it with those affected and if it is able to reach a formula for moving forwards then it is reflected in the Estimates of Expenditure and it is announced when it happens. If, as a result of discussions, it is not possible to reach a suitable way forward then it does not happen and it is removed from the equation.

HON P C MONTEGRIFFO:

Mr Speaker, I do not expect the Government to tell me that one job that has been replaced in the Treasury has now found its way in the private sector. No, Mr Speaker. But what I do expect the Hon the Chief Minister when he tells the Nation that he is looking for a transfer of skills and that effectively means the transfer from public orientated employment to commercial or private sector employment then I do expect him to tell us that in assessing that transfer the figures and the functions involved are 'A', 'B', 'C' and 'D'. Like, for example, the question of Land Management which is a matter that can be dealt with commercially and I would ask the Chief Minister, although I am under no illusion that I will get a reply, that details of that nature specifying the type of functions which Government intends to commercialise and hence mop into the private sector should be given now so that we can assess and measure what exactly those projections are?

HON CHIEF MINISTER:

I have already told the Hon Member, Mr Speaker, that the only projection that is possible is an overall projection and that is what he can measure. That is more than what anybody has been able to measure before in Gibraltar's history because nobody has ever made projections about anything. I am therefore giving the Hon Member, for the first time, and to the rest of Gibraltar, an opportunity to know in the direction that we are intending to go and the extent to which we intend to go. In fact, the transfer of skills is taking place constantly as a matter of Government policy in the Youth Training Scheme. In that Scheme, Mr Speaker, in the first twelve months in the operation of the Scheme, 120 youngsters have found full-time permanent employment in the private sector. Those 120 youngsters would have either been unemployed or in the public sector if there had not been the Youth Training Scheme which I am glad to say is working very well because of the support and cooperation we are getting from private sector employees. In fact, in many instances these employees have actually offered permanent employment to the trainees even before the year was up. Therefore what is happening is that without anybody being moved out by a process of natural wastage there is growth in one area and contraction in the other. This is simply because there is no increase in one area and people retire and so on.

MR SPEAKER:

Next question.

NO. 88 OF 1990

ORAL

THE HON K B ANTHONY

Following the Chief Minister's statement that he intends to reduce the Civil Service from 600 to 200 personnel, will he now inform the House where he intends to re-employ the surplus 400?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the surplus staff will retain their existing pay and conditions of service, personal to holder, and will be carried on a supernumerary basis within the Service.

SUPPLEMENTARY TO QUESTION NO. 88 OF 1990

HON K B ANTHONY:

Mr Speaker, has Government any plans for re-training any of the 400 so that a new career prospect might be open to them if they do not want to move into the private sector or an equivalent job?

HON CHIEF MINISTER:

Mr Speaker, we are looking at re-training of the industrial labour force rather than the non-industrial side. The 600 employees we are talking about are Administrative Grades. I think, Mr Speaker, that it might help the Hon Member if I were to tell him that I had an exercise done for the purpose of answering this question that he has asked me. The object was to find out the historical situation and, in fact, in the Administrative Grades there were 475 in 1982/83 and it grew to 593 in 1987/88, the last year of the previous administration. In our first year it grew again because of commitments already in the pipeline to 611 .....

HON A J CANEPA:

That shows how progressive we were, Mr Speaker.

HON CHIEF MINISTER:

So progressive that we would all have finished working in the Civil Service at that rate. In the 1988/89 Estimates of Expenditure, when we approved, if Members will recall, the Treasury allocation the figure provided for was 611. Now in 1989/90 the figure was reduced to 585 and in the Estimates that have been tabled in the House today there is a figure of 530, more or less. So what we are seeing,

Mr Speaker, is that in fact we are coming down from the 600 mark. I should have said 611 but I was using a round figure. We think that the public administration can, with the use of computers and more modern technology, be effectively carried out with 200 persons. It is not something that can be carried out tomorrow like pulling a switch and it is not that we are actually going to put 400 persons out in the street. There is a level of retirement and so on which is giving us an opportunity of not replacing people. In terms of training, the only area where we are providing valuable skills which are transferrable to the private sector are in the field of accountancy. We have a number of Clerical Grades that are, in fact, given day release to attend Accountancy Technician Qualifications at the College of Further Education. The policy of the Government is to send as many as want to go even if we, as a Government, do not need so many with those skills. It however provides them with more mathematical skills if they were to choose to move to the private sector.

HON K B ANTHONY:

I thank the Hon the Chief Minister for that answer, Mr Speaker. I fully accept that the Hon the Chief Minister does not expect to reach the figure of 200 tomorrow but could he give an indication of when this figure of 200 could be reached?

HON CHIEF MINISTER:

Well, Mr Speaker, the level of natural wastage is around no more than 50 a year so to reduce by 400 would take quite a long time. About one a week that is the average. It may be that you have a week that nobody goes but then you have three or four in one week. So obviously if it were purely on a policy of non-replacement it would take about eight years to reach the 400. We have, however, introduced a number of incentives in terms of better retirement terms for people seeking abolition of post and Members will recall that we brought an amendment to the Pensions Ordinance where it extended the scope of what could be done on restructuring or re-organisation. We expect that that will generate an increase in the level of natural wastage although perhaps not a very dramatic increase. It may go up from fifty a year to seventy-five a year. Apart from that what can make a much greater impact is when we have a group of people coming up with proposals to the Government like, for example, what was answered in response to a previous question concerning Crown Lands. There the officers that we today involved in the management of Government estates for a salary have suggested that they would be prepared to set up shop on their own and do it for a fee. This from the Government's point of view is not going to cost us more than what their salaries cost and in return gives them the flexibility of being able to operate in giving a service to the Government

and at the same time give a service to other people which today, strictly speaking, under Civil Service Rules they are not allowed to work for private customers.

HON K B ANTHONY:

I thank the Hon the Chief Minister for his reply, Mr Speaker. The Chief Minister's answer of fifty persons a year wastage almost answers my next question because I was concerned, Mr Speaker, with the potential redundancies situation in GSL, the MOD, PSA plus people leaving the Civil Service due to the proposed reduction to 200. Is the Chief Minister confident that all these potential redundancies will be able to obtain gainful employment in the future or are we likely to face a glut of unemployed people?

HON CHIEF MINISTER:

There is a problem like there has always been of matching a variety of different factors and therefore we are talking of global figures. You can produce a match on global figures so we are reasonably confident that if we are able to maintain the level of economic growth there will be enough job creation to absorb the loss of job opportunities in the public sector. The easiest way to do this is if you have in the public sector natural wastage because of people retiring and you have in the private sector growth because of school leavers joining the private sector that, Mr Speaker, is the easiest equation. That will only account for a limited number of skilled labour transfers. I think it becomes increasingly difficult when you have chunks of people being made compulsorily redundant, like may happen with the MOD and PSA following the removal of the Resident Battalion next year. There, Mr Speaker, you have people whose ability to acquire new skills is function of age and whether they are male or female and the type of jobs. There is therefore a greater difficulty in this case and we are concerned that if we are not able to get the equation right we could finish up with a situation where, on paper, one could say: "Right, the total number of jobs in the economy has not gone down, it might even have gone up slightly, we have 1000 jobs less in the public sector but we have 1000 jobs more in the private sector". But, I think, if we are not able to really get to grips with proper opportunities for re-training, you could find that you have 500 unemployed of the 1000 that have lost jobs in the public sector whilst we have had to import 500 people from outside because of a skills mismatch. It is a real risk, it is no good denying it, we are conscious of it, and we are trying to see how that can be overcome. But it is not so easy when you are dealing with people who may be at a stage in life where, frankly, starting on a totally new business is difficult.

HON K B ANTHONY:

Thank you, Mr Speaker. One final question on this aspect. Out of the potential redundancies that may occur at the MOD etc, the only one over which the Government really has control of is the reduction in the Civil Service from 600 to 200. If we see a situation where we see we are getting a glut of unemployment in the market will the Hon the Chief Minister consider reducing his reduction of the Civil Service programme until that hurdle is overcome?

HON CHIEF MINISTER:

No, Mr Speaker, because, frankly, the answer, and it is sometimes a difficult message to put across, but the answer to combatting unemployment cannot be to have non-jobs because, at the end of the day, you are masking the unemployment situation because the person may not appear on the statistics of the unemployed but the reality of it is that if he is not making a contribution to the economy positively his income is being provided by the rest of the community that are working. So it cannot be right to artificially maintain levels of employment that cannot be justified on economic grounds simply in order to make the unemployment situation look better. In any case, I do not think the real risk is in this area. The real risk is, I think, in that the bulk of the industrial jobs, over the next few years, are going to be in the construction industry. Mr Speaker, we are talking to the MOD and to PSA trying to persuade them that they should introduce in-house training before a state of redundancy is reached. We are looking ourselves at the people who we have in GSL and the other companies in order to try and provide them with a variety of skills where it is not a question of doing an apprenticeship but perhaps teaching somebody to do crane driving, fork lift driving, heavy goods vehicle driving, steel fixing, etc. These are short courses which then means that the person's employability is improved because there are a variety of different jobs in which he can be fitted. That is really our thinking. We see that, frankly, as a more serious problem amongst industrial workers who may be in their 40's or 50's than amongst clerical workers who in many cases, in the Civil Service, a very large proportion of these 600 are, in fact, young girls who are doing typing or routine clerical work for which there is an expanding demand from legal and accounting firms.

MR SPEAKER:

Next question.

THE HON P C MONTEGRIFFO

Will Government confirm what its projections are for total employment figures with a breakdown of sectors for the end of the year 1991/92?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, Government does not have projections for total employment or sectoral breakdown for the year ending 1991/92.

SUPPLEMENTARY TO QUESTION NO. 89 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, is it the Government's intention to seek to make such projections as part of Government's policy to attract a certain type of tourism which will have a certain impact on the tourist product and people promoting the tourist industry? Does Government intend to work towards projections which will identify growth in employment trends in these different areas, or not?

HON CHIEF MINISTER:

No, Mr Speaker, because the figures for the period that the Hon Member has asked me are not possible to compile. The Hon Member is using financial years and the only thing that we have relating to the end of financial years are the Employment Surveys and we know, because we have said so already in this House, that we expect shortly to find out what was the level of employment in the year 1988/89. So here we are in 1990 and we are still not sure what was the level of employment in 1988/89. How can we make a projection for 1991/92? It is not possible, Mr Speaker, to make such a projection.

HON P C MONTEGRIFFO:

Mr Speaker, I understand the difficulties the Chief Minister may have, but in the same breath we are told that we are looking towards a re-training scheme and a transfer of existing skills, how does the Hon the Chief Minister know whether to re-train people for ten waiters as opposed to one or fifty secretaries as opposed to five hundred fork lifter drivers? At the end of the day, Mr Speaker, I assume that in any forward planning there must be indications, and the Hon the Chief Minister has indicated that the construction trade over the next two years is going to see significant growth, the Finance Centre and Tourism, although there may be a bit of a question mark there but in marrying

re-training to people becoming available, whether leaving existing jobs or school leavers, you must have an idea in rough terms?

HON CHIEF MINISTER:

That, Mr Speaker, is not achieved by doing a projection of total employment figures with a breakdown of sectors for a year ending in March. That, Mr Speaker, is the question that the Hon Member has asked me. The Hon Member has asked me can I confirm what our projections are for the financial year 1991/92 with a breakdown by sectors. If I produce what he has asked me it would not help us at all in doing what he is asking me now. Because what he is asking me now is something that we do constantly by monitoring the vacancies that are opened with the Department of Labour and Social Security. There, Mr Speaker, we have a detailed daily breakdown of the number of jobs, by trade and by industry, and for the first time in our history we are involved in a substantial exercise of computerising insurance records which will enable us to obtain daily figures at the push of a button. However, that has nothing to do with making a projection for a financial year which would be of no use.

HON P C MONTEGRIFFO:

Mr Speaker, I do not think that the Hon the Chief Minister has understood me. Maybe it is my inability to express myself. The point simply is, if we are looking towards re-training people and giving them certain skills then unless the Government does project the size, the increase in the size of employment, then one is working in a sort of situation where one is shooting in the dark. For example, if we know that there is going to be a five star hotel at Queensway, and another series of hotels elsewhere, talking in general terms, then the Government must have an idea of the skill vacuum which that demand will create and therefore would have its own views as to how it would like to re-train in that area to cater for the increase. It is irrelevant whether you pin it to March 1990 or the end of 1990. I have used the two-year period for the sake of a workable period.

HON CHIEF MINISTER:

Mr Speaker, if the Hon Member had listened to the answer that I gave the Hon Member sitting beside him he would know that without getting involved in doing the kind of projections the Hon Member was asking for in Question No.89 of 1990, which we do not do because it would be pointless, we are already monitoring employment trends. I have just told the Hon Member that we do it on a daily basis. We know how many vacancies are created every day in Gibraltar. We know how many work permits are given to new entrants and therefore we are able to map the skill shortages in the economy. I have already said that we are reflecting that



in providing skills, for example, for heavy goods vehicles drivers because we know that in the last 24 months there have been demand for heavy goods vehicle drivers and there are no unemployed heavy goods vehicle drivers. There are, however, unemployed van drivers. However, since it is not possible to become a truck driver unless someone gives you the necessary training and unless you pass a test, we know that that is one of the skills we need to provide. We do not need to make a forward projection for the next year to discover that. That is something that is part and parcel of the monitoring of employment trends which the Labour Department is doing and part and parcel of the strategy that we announced we intended to carry out with the Employment and Training Unit.

HON P C MONTEGRIFFO:

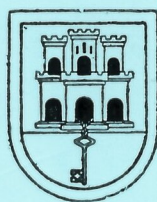
Mr Speaker, I think we must agree to disagree. My final question is, will Government confirm whether for the purposes of its employment figures, whether the Gibraltar Community Care figures will be deemed to be part of employment figures, in terms of the 60 to 65?

HON CHIEF MINISTER:

I cannot answer that question without asking the Statistics Department when they do that measuring this year how they propose to show them, if at all. The figures that the Hon Member will get are figures which exist for a year when the Community Care did not exist. There is no way of knowing.

**GIBRALTAR**

**HOUSE OF ASSEMBLY**



**QUESTIONS AND ANSWERS**

23RD OCTOBER, 1990

NO. 90 TO NO. 152

THE HON LT-COL E M BRITTO

Mr Speaker, will the Financial and Development Secretary say whether he is completely satisfied that he is fulfilling his constitutional and statutory responsibilities in respect of public funds in general and, in particular, where: (a) the Gibraltar Investment Fund; (b) the Social Assistance Fund; (c) the Gibraltar Development Corporation; (d) Gibraltar Shiprepair Limited, and (e) all the Government Joint Venture Companies, are concerned?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the Hon Member's question is so widely drawn that I find it difficult to know what he is driving at. If he is asking me whether I am doing my job then the answer is categorically, yes. If this is the case I am surprised that the question should even have been put. I have never cared to count them, but mentions of the Financial and Development Secretary's individual responsibilities in the Constitution and Statutes must run into three figures. Some of these responsibilities are general, some of them I recognise that I owe directly to this House. I believe that I know my responsibilities and act accordingly.

If, however, he is asking me whether financial control systems in the Civil Service are perfect, then I would be the first to say that they are not. From experience here so far, I believe there to be considerable scope for improvement. Many of our systems are decades behind what I know to be modern and efficient practice.

I am for instance, determined to reinforce the responsibility of Controlling Officers to exercise financial control in substance and not just form. Our systems must, at the same time, encourage them to think in value for money terms and not just observance of cash limits. I would like to see more rigorous and earlier attention to potential calls for supplementary funds. As an essential part of this process our financial monitoring systems must be brought up to modern standards using the technology that is now available to enable a more dynamic response to financial supervision.

Mr Speaker, I have committed myself to the reforms which I believe to be necessary. In doing so, I know that I have the support of the Chief Minister and I hope of all Members of this House.

SUPPLEMENTARY TO QUESTION NO. 90 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, will the Hon Member confirm that he personally has the responsibility to supervise the finances of the Government and to ensure that a full account thereof is made to the House of Assembly?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Yes, Sir, I think the Hon Member is quoting from Section 3 of the Public Finance (Control and Audit) Ordinance which specifically relates to the Consolidated Fund and the Improvement and Development Fund.

HON LT-COL E M BRITTO:

Mr Speaker, will the Hon Financial and Development Secretary further confirm or accept that this responsibility includes providing the Opposition with information that they may seek by questions in this House on any matter to do with the finances of the Government?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Sir, I think what I would like to say at the outset is that any of us who have been lucky enough to grow up in a Western style of democracy appreciates the importance of financial accountability in the context of an essential checking balance in the process of ensuring democracy. But what I would ask the Hon Member to recognise is that under any Constitution, certainly any Constitution that I have operated under, Sir, the process of accountability is focused through a set routine, a set cycle of events through the year. In our terms, Sir, that cycle is the Estimates, followed by the Public Accounts, then submission of those Public Accounts to the Principal Auditor. I see my role as defined in statute, Sir, as being primarily in relation to that cycle of events.

HON LT-COL E M BRITTO:

I am sorry, Mr Speaker, I have missed the last couple of words.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

I see my responsibility, Sir, as defined in statute primarily in relation to the cycle of accountability that I have just outlined.

HON LT-COL E M BRITTO:

Yes, Mr Speaker, I think maybe the Hon Member misses the point of the question and that is whether he accepts that he has a duty to provide answers to questions in this House on any matter to do with the finances of the Government?

HON CHIEF MINISTER:

Mr Speaker, can I intervene. In all the time that I have been in the House of Assembly I have never had a situation where a Member of the Opposition has directed questions to the Financial and Development Secretary as if he existed independent of the Government. The position of the Financial and Development Secretary is that he has the same statutory obligations as the previous Financial and Development Secretary had under the previous Government and provides the same information to the House as the previous Financial and Development Secretary did under the previous Government. For example, I would draw the attention of the Hon Member opposite to the implications of what he is saying and which appear to be that the Financial and Development Secretary should provide answers for Gibraltar Shiprepair Limited for Members of the Opposition which the previous Financial and Development Secretary refused to do as a matter of policy because it was a commercial entity. We have now a situation where the Chairman of that company is a Government Minister and they now wish that the Financial and Development Secretary answer in this House. The Members opposite are also talking about the Gibraltar Development Corporation which is governed by a law passed by this House and which lays down what its responsibilities are. There is also the question of Government companies where the Government has a shareholding where in relation to the Gibraltar Quarry Company the previous administration in answer to Question no. 89 of 1980, of which Mr Maurice Featherstone was the Chairman, and who stated in this House that as a matter of principle the Quarry Company, notwithstanding the fact that it was 100% Government owned, could not be asked to provide information in answer to questions in the House. The Speaker at the time ruled, and I quote: "The answer is that one must be, and I think I must rule on this one, that he is not entitled to part with information which he has exclusively, as Chairman of the company, and not as part of his Ministerial responsibility", ie the Speaker ruled then in support of the view of the AACR and Mr Maurice Featherstone, Chairman of the Quarry Company, was not obliged to provide answers in the House of Assembly. Never mind the Financial and Development Secretary, because Mr Maurice Featherstone in the House of Assembly could only be asked questions about his responsibility as Minister for Public Works. So the position is that since the Constitution has not changed since 1980 and since the Statutes have not changed since 1980, in fact in reviews in 1977, the Public Finance (Control and Audit) Ordinance, and we have had a careful research made,

Mr Speaker, of this matter by officials who have gone back into the Council of Ministers Papers that led to the Public Finance (Control and Audit) Ordinance 1977 and which include the exchange of correspondence between the Treasury Department and the Principal Auditor on the failure of the Quarry Company to keep proper accounts under the previous Government and the net result of that is that the Government is totally satisfied that the Financial and Development Secretary, currently, is carrying out his responsibility to the letter of the law as all previous Financial and Development Secretaries have done. As I have said previously, as far as we are concerned, what we have decided as a matter of policy is that we are answerable for the finances of Gibraltar as is normal in other dependent territories and that, for example, in the Budget we defend, and we have defended since 1988, that the appropriation of public funds brought to this House are the result of political decisions and the Financial and Development Secretary, unlike his predecessor, is not expected to bear the brunt of any controversy regarding public funds because although he is a Member of the Government and a Member of this House, he is of course a Civil Servant. The decision on the use of those funds is taken politically and we accept full responsibility for those political decisions and we defend them. So I suggest the Hon Member addresses his questions to the Government which has been elected by the people and not try and create the impression that the Financial and Development Secretary is failing to do his job.

HON LT-COL E M BRITTO:

Mr Speaker, I would like to say at this point quite specifically that it has not been my intention at any point in asking these questions to cast any aspersions or to imply that the Financial and Development Secretary.....

MR SPEAKER:

It is against the Rules anyway to do that.

HON LT-COL E M BRITTO:

I realise that, Mr Speaker, and I wish to clarify the position. Maybe I should have said initially that there is nothing personal in the line of questioning that I am pursuing but there is an important matter of principle involved on which quite clearly the Chief Minister, after what he has said, is at loggerheads with us on this side of the House.

HON CHIEF MINISTER:

No, Mr Speaker, on the contrary. I have quoted the answer given by the Minister for Public Works in answer to Question No. 89 of 1980 when the AACR was in Government and Mr Featherstone said: "Sir, it is a question of principle. If the Quarry Company operates as a private company it has the same rights as any other private company". What I am telling this House is that the Government is operating all the funds which have been listed by the Hon Member opposite in his question: the Gibraltar Investment Fund; the Social Assistance Fund; the Gibraltar Development Corporation; Gibraltar Shiprepair Limited; the Joint Venture Companies; the Improvement and Development fund and the Consolidated Fund within and according to the Law of Gibraltar and to the interpretation of the Law of Gibraltar that was current when the AACR was in Government. There has been no change, that is what I am saying.

HON LT-COL E M BRITTO:

Mr Speaker, will the Chief Minister accept that there is a basic difference in principle to what he is saying when quoting from past records? At the time of the Quarry Company he is referring to information on the Company in general and I am referring specifically, in my question, to the responsibilities for the finances of the Government which the Financial and Development Secretary has and which are laid down in the Laws of Gibraltar. The Hon the Chief Minister cannot bring out a red herring in this House and say that because in 1980, the Chairman of the Quarry Company gave that answer, that that answer is correct today and that it overrules the spirit of the law. Will the Chief Minister further agree that Mr Speaker's ruling, which he quoted, was based on providing information in general on the Company and not on the specific matter of the Gibraltar finances which I have brought up this morning? Will the Chief Minister also further agree that much as he would like it to be to the contrary, the Financial and Development Secretary is a separate entity to the rest of the Government inasfar as the finances of Gibraltar are concerned? This, Mr Speaker, is laid down in the Constitution and it is laid down in the Laws of Gibraltar and as such the Financial and Development Secretary has responsibility to answer questions in this House on matters relating to the finances of Gibraltar?

HON CHIEF MINISTER:

Mr Speaker, as far as I am concerned and my Government is concerned, we spent years in the Opposition attacking the AACR for hiding behind the Financial and Development Secretary and I am astonished that a Party that claims that they will fight the next election on the basis of Constitutional change and of the elected Government of

Gibraltar being more responsible for its own affairs, should now insinuate through the Hon Member that, in fact, the Financial and Development Secretary is a law unto himself independent of the elected Government and has responsibilities outside his responsibility as a Member of the Government. I can assure the Hon Member that the Constitution of Gibraltar in 1969 could not have been intended to make us the most backward UK colony left. We have researched, not only what is the practice here and what was the practice since the 1969 Constitution was brought into effect, as well as since the 1977 Public Finance (Control and Audit) Ordinance was introduced by the Members opposite and since the amendment to that Ordinance was brought in in 1982, giving greater flexibility to the degree of public control and Members opposite may not remember but, in fact, I was the only Member of the Opposition who supported the 1982 amendment, which the AACR brought in and it is in the context of all those laws that the Financial and Development Secretary is exercising his responsibility. According to the interpretation that the Hon Member opposite put on Section 3, if he thinks that we are acting outside the law then it is not a question of saying: "Well, whatever interpretation was put on the law when the AACR was in Government the interpretation is different now". No, if we are doing anything that is contrary to the 1977 Ordinance then I can tell the Hon Member that so has every previous AACR administration because we are using the same procedure and the same mechanism and the man that is responsible for doing that is not the Hon Member opposite. The Principal Auditor, when he audits the Accounts of the Government, points to any deficiencies that there are and has pointed for years in the Accounts and we have seen, Mr Speaker, the correspondence between the Auditor and the Treasury which I am sure Colonel Britto may not know of because he was not in Government, but surely the other Members of the Opposition who were in Government must know what went on and must know that this matter was looked into and settled and the principles laid down, when the Quarry Company was created and when GSL was created, which was the first time that the Government started creating companies which were, effectively, at arms length from the Government. The question of the Special Funds are laid down in the law and are being operated according to the law but, as I have said before in this House, if the Members of the Opposition feel that the Government is not complying with the law they have the road open to them, they can take us to the Supreme Court and obtain a Court ruling.

HON A J CANEPA:

Mr Speaker, the Hon the Chief Minister, yourself and I myself, are the only three Members of the House present here today who were here before 1984, all the others have come since. To talk therefore about what the function of the Financial and Development Secretary under the AACR Government in respect of accountability and to limit what he



is saying to what used to happen in respect of Gibrepair and pretend that that is what happened in respect of everything else, just does not square up with the facts. Is it not a fact, Mr Speaker, that any scrutiny of Hansard would show that on numerous occasions Ministers of AACR Governments in the past had to answer for matters or questions directed at the Financial and Development Secretary to a greater or to a lesser extent, some more than others who were not familiar with many matters to do with Government and yet questions were directed at them when the Estimates, in particular, were being scrutinised and Financial Secretaries could not answer and it was Ministers who used to answer. That is a fact and any scrutiny of Hansard will show that.

HON CHIEF MINISTER:

Mr Speaker, I accept that that has happened before and I have always supported that when I was in Opposition.

HON A J CANEPA:

Well, why is the Hon Member giving the impression that that is not the case? Why is he giving the impression that Ministers of AACR Government have negated responsibility?

HON CHIEF MINISTER:

Mr Speaker, because in all the time that the AACR has been in this House from the first election in 1972, when they said that it was the Financial and Development Secretary who told them that they did not have any money to pay the Pay Review which led to the general strike. From then until they were kicked out of office in 1988, I do not recall ever having had a situation where a Member of the Opposition, who says he is not casting aspersions on the Financial and Development Secretary and perhaps he will tell me whether he is casting aspersions on me or any of my colleagues, because I have never had a situation where a Financial and Development Secretary has been asked whether he is complying with the law and complying with the Constitution. What sort of question is that? That is why the Leader of the Opposition has had the reply that he has had from me. I never recall having done anything like that. If the philosophy of the Party opposite is that they feel that the Financial and Development Secretary has too little power and that the elected Members have too much, then it seems to be inconsistent with what they preach. If that is not the philosophy then what is the point they are trying to make with this question? The law is the law. If any member of the public, never mind any Member of the House, feels that the law is not being complied with, the Courts are there to enforce the law and to enforce the Constitution. Members opposite know that because they have had the embarrassing situation of having had a law introduced in this House, which I supported, and the Government was taken to the Supreme Court by the Chamber of Commerce. The Supreme Court

ruled that the law was unconstitutional and threw it out. That course is open to anybody. We are facing a situation where for the first time in my political experience, a Member of the Opposition has specifically asked the Financial and Development Secretary a question which can only be interpreted in one of two ways: is he doing his job as he ought to be doing it, or is he being allowed to do his job as he ought to be doing it by the politically elected Government of the people of Gibraltar? I think Members opposite should come clean and say what they mean.

MR SPEAKER:

We have to be careful now. We have generated this question into a debate and I am afraid that I have to put a stop to it. Please put your last question. If you want to pursue the matter then you can raise it on the adjournment.

HON LT-COL E M BRITTO:

Mr Speaker, I may have to pursue the matter, which I think is a very basic important point of principle, by raising it on the adjournment.

MR SPEAKER:

This matter can be pursued either by an adjournment motion or by a substantive motion. But what I cannot allow is for Question Time to generate into a debate, sometimes even drifting into the hypothetical.

HON A J CANEPA:

Mr Speaker, is it not legitimate for the Hon Questioner to follow up his question with supplementaries notwithstanding the fact that the Chief Minister has made two statements which in total have added to about twenty minutes of the proceedings this morning?

MR SPEAKER:

I think the Chief Minister was trying to answer the question of principle that applies to the whole Government and he is quite entitled to do so. That is why I have allowed him. Will you now please ask your question again but let us not carry on with this kind of debate because I am not going to allow that. You have other avenues that you can make use of if you really want to take the matter up.

HON LT-COL E M BRITTO:

Will you allow me, Mr Speaker, to clarify the question of casting aspersions on Members of the Government?

MR SPEAKER:

Of course.

HON LT-COL E M BRITTO:

As I said before, Mr Speaker, the thrust of the question is not to cast aspersions on anybody, be it the Financial and Development Secretary or be it any Member of the Government. The point of the question is to establish where the responsibility for giving information to this House lies. In that case, will the Chief Minister accept that it has been necessary to ask the question in this manner to establish the principle because whenever Members on this side ask questions the Government shields not behind the Financial and Development Secretary but they shield, as the Hon Minister for Medical Services has done this morning, they shield behind the wellknown veil of secrecy which the Government has and we do not get the information. Will the Government then accept and will you, Mr Speaker, then accept that in the circumstances where the political Government does not answer questions on the matters of the finances of Gibraltar then under Section 3 of the Public Finance (Control and Audit) Ordinance the responsibility passes on to the Financial and Development Secretary to ensure that a full account is made to the House of Assembly?

HON CHIEF MINISTER:

No, Mr Speaker, the answer is no. The Financial and Development Secretary has no greater obligation to answers questions in this House, because of Section 3, than the Government as a whole has. The Financial and Development Secretary's responsibility is as a Member of the Government and, in fact, if the situation was that the responsibility would be a different one because the Financial and Development Secretary in our case is not an elected Member, if that was the situation then we would change the law because the law that was passed in 1977 is not sacrosanct and the Financial and Development Secretary discharges his obligations in accordance with the law and according to the policy of the Government of the day. We have, in fact, had Financial Secretaries, previously in this House, who have refused to give information. This is what I am telling the Hon Member. What the Hon Member seems to be saying is that if in Question No.89 of 1980 Mr Featherstone had said: "I am not prepared to provide the information about the Gibraltar Quarry Company", then according to his theory, somebody could have stood up in the Opposition and said: "Right, that is the politician saying no, but now the Financial and Development Secretary under Section 3 of the Public Finance (Control and Audit) Ordinance has to give the information that the Minister has refused to give". Well, that would be a complete nonsense. How could any Government work on the basis that a policy decision is taken which has, of course, to have the backing of law, and then find that it cannot act

according to that decision? The reason why the Minister did not give the answer was the ruling by the Speaker that that was not a legitimate question to put in the House, not that it was not legitimate for the Minister to answer but that it would have been legitimate for the Financial and Development Secretary to answer. The Speaker's ruling was that in the House there was nobody answerable for the performance of the Quarry Company. The whole thing is documented, I can assure the Hon Member, in correspondence in the Government at the time with reference to Section 3 of the Ordinance, Mr Speaker, in the minutes produced by the Treasury for Council of Ministers which decided to proceed with that law, in 1977. The item in question states quite clearly the responsibility of the Financial and Development Secretary for the Improvement and Development Secretary Fund. We have not had any doubts, Mr Speaker, that the information that is being made available to the House is the same quantity of information that has been made available to the House previously. Because just like the Leader of the Opposition has said that there are some Members who have been in Government, others are here since 1984, but I have been here since 1972 so I know how much information has been given previously and we have never had any doubts. We are not departing from established procedures and established practices which were previously constitutional and obviously continue to be constitutional. However, in the light of this question, I have had the matter thoroughly researched and I can assure the Member opposite that the information available within the files of the Government shows that when the Treasury produced the draft for the Council of Ministers in 1976 which came to the House in 1977, the index shows that the proposed Section 3 was described as the Financial and Development Secretary to have the management of Consolidated Fund and Improvement and Development Fund. In the analysis of the need to amend the law, the law that was brought into effect in 1977 which replaced a previous law of 1973 which was called the Financial Procedures Ordinance, in the Ministerial Paper at the time it says that the need to bring in the law was to separate the Treasury function of controlling the amounts of money appropriated by the House from that of the Special Funds where the Controlling Officer of the Special Funds in the law is the Accountant General. The Accountant General is not a Member of this House and therefore he does not answer to the House other than by producing accounts which are audited by the Principal Auditor. So therefore the situation is that it is not a question of the Financial and Development Secretary putting his own interpretation on Section 3 and on the job content. The interpretation is there and it is documented and has been the subject of previous correspondence and is clear. It also happens to be the policy of the Government. If there was to be a conflict, a contradiction between the policy of the Government and the law, it is not the policy that will be changed, it is the law that will be changed.

HON LT-COL E M BRITTO:

Mr Speaker, obviously there is no point in pursuing the question in view of the attitude that the Chief Minister is taking. I have to say to you, Mr Speaker, that personally I am not satisfied that what was done as a result of the Quarry Company, or two years ago or under the previous Government and under a previous Speaker, is a precedent for the line of questioning that I am pursuing today and which is specifically on the question of the public finances of Gibraltar. I therefore feel, Mr Speaker, that I have to ask you for a ruling on whether I am correct in my submission that if the political Government of the day does not answer questions on the matter of public finances that under the law, it is the responsibility of the Financial and Development Secretary to do so. If the Government is saying that in order to keep the lid on and stop the information coming out they will change the law, well then let them change the law and let them show Gibraltar that what they really want is for the information not to be made public. I therefore ask you, Mr Speaker, for a ruling.

MR SPEAKER:

First of all, let me say that there are two points which the Speaker takes into consideration when looking at a question put by a Member. First of all, the Speaker makes sure that the question is admissible under the Rules and, if so, then the Member.....

HON A J CANEPA:

If I could interrupt you one moment, Mr Speaker. Are you giving a ruling now?

MR SPEAKER:

Yes, I am just explaining the situation.

HON A J CANEPA:

Is it not a matter that should be the subject of careful consideration?

MR SPEAKER:

No, because I think the principle has been set very clearly here and in the House of Commons as well. I do not think there is any need for further consideration as far as I am concerned and I can give it quite clearly now.

HON G MASCARENHAS:

Mr Speaker, can I ask the Hon Chief Minister another question before you give a final ruling?

MR SPEAKER:

Yes, but it has got to be a question, we cannot allow the debate to continue.

HON G MASCARENHAS:

Does the Hon the Chief Minister agree with the ruling in 1980?

HON CHIEF MINISTER:

Yes, Mr Speaker. I was a Member of the Opposition then and, in fact, I did not intervene at all in the questions which were put by other Members of the Opposition because I accepted the explanation that was given at the time by the Minister and the ruling that the Speaker made. I accepted that he could not be asked to do it and I did not intervene. In fact, as I have already said, subsequent to this there was an amendment brought in to the 1977 Public Finance (Control and Audit) Ordinance, in 1982, which gave greater flexibility on the auditing of accounts by the Principal Auditor in cases where there was any involvement of public funds and I supported, with my vote, the introduction of that amendment which was opposed by the rest of the Opposition. I have supported the same line that I am defending today and that was previously defended in this House by the previous Government and I supported it when I was in the Opposition.

MR SPEAKER:

First of all, the Member puts the question and the Speaker decides whether it is admissible under the Rules. If it is admissible then it is up to the Member of the Government to answer or not answer or give the answer that he thinks is suitable. But there is no compunction and the Chair cannot compel a Member to give an answer. The answer that a Member gives is entirely up to him. If any Member believes that what has happened is unconstitutional then, of course, he has the resort to go to a Court of Law. I do not think this House is the forum to decide whether it is constitutional or not.

HON LT-COL E M BRITTO:

Mr Speaker, I am not sure you have understood what I have been trying to say? May I bring you the law so that you can read it?

MR SPEAKER:

I will read it: "The Financial and Development Secretary shall so supervise the finances of Government as to ensure that a full account thereof is made to the House of Assembly and for such purposes shall, subject to the provisions of

the Constitution and of this Ordinance, have the management of the Consolidated Fund and the Improvement and Development Fund and the control and direction of all matters relating to the financial affairs of the Government". As Members know the Accounts are audited by the Principal Auditor and I believe that that is the authority that has to decide whether the functions of the Financial and Development Secretary are being carried out properly or not. If they are not, as you know, in the Auditor's Report on the Statements of Account for the financial years he will say so.

HON LT-COL E M BRITTO:

Mr Speaker, the ruling that I am asking you to give is not whether the Financial and Development Secretary is doing his job properly or not, that is not the point. The ruling I am asking you to give is whether the law that you have just read lays responsibility on the Financial and Development Secretary to give information to this House. I am asking, Mr Speaker, whether you feel that under the law the Financial and Development Secretary has a responsibility for answering questions on matters of public finances.

MR SPEAKER:

The Financial and Development Secretary is responsible unto himself and he will give the answer that he thinks is a responsible answer under the statutory obligation that he has. If a Member does not think so he can pursue it, as you are doing now in this House, but if the Financial and Development Secretary still does not give an answer, and the Hon Member believes that that is unconstitutional, then he can resort to a Court of Law. There is nothing that the Speaker can do to change the situation, because the Speaker has to accept the word of the Hon Member. The Hon Member can bring a substantive motion criticising the conduct of that Member. It will then be up to the House to decide whether it agrees with him or disagrees with him. I suggest to the Hon Member that if he has any doubts he should do precisely that and then find out what the decision of the House is. That is my ruling and we will now take the next question.

THE HON LT-COL E M BRITTO

Will Government say what has been the average level of "on shore" deposits at 'A' Licence Banks in the following six month periods:

1. January to June 1986
2. July to December 1986
3. January to June 1987
4. July to December 1987
5. January to June 1988
6. July to December 1988
7. January to June 1989
8. July to December 1988
9. January to June 1990

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, banks do not publish and have never published a breakdown of deposits held by residents and non-residents. Since 1988 estimates have been provided to the Banking Supervisor on a partial and confidential basis.

SUPPLEMENTARY TO QUESTION NO. 91 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, would the Hon the Financial and Development Secretary be prepared to extend that confidentiality to the Opposition?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, this obligation follows from the Banking Supervisor's statutory obligation to confidentiality.

HON LT-COL E M BRITTO:

So, Mr Speaker, I take it then that the information cannot be made available even in global terms? I am not seeking to identify individual banks. I am just seeking global information

HON FINANCIAL AND DEVELOPMENT SECRETARY:

That is correct, Sir. It is laid down by law.



NO. 92 OF 1990

ORAL

THE HON LT-COL E M BRITTO

Will Government say whether its practice of not seeking public tenders is contrary to the Financial (Tender Boards and Tender Procedure) Regulations made by the Financial and Development Secretary in 1978?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, Financial Regulation No.1 of 1978, to which the question refers, was made pursuant to the enabling powers contained in what was then Section 76, subsection (1) of the Public Finance (Control and Audit) Ordinance. The Hon Member will no doubt have seen that the Regulation itself provides for a number of instances where the Public Tender Procedure specified in paragraph 3 does not have to be followed.

Furthermore, subsection (2) of what was Section 76 of the Ordinance provides that Regulations made under subsection (1) shall not have the force of law. They are, therefore, administrative only. What was Section 76 I have referred to is now, following the 1984 Revision of the Laws, Section 74 of the Ordinance, and is in identical terms.

SUPPLEMENTARY TO QUESTION NO. 92 OF 1990

HON LT-COL E M BRITTO:

Just one supplementary question, Mr Speaker. So it is not necessary to repeal the Regulation?

HON ATTORNEY-GENERAL:

Mr Speaker, the question of amendment of the Regulations is under consideration at the present time. As I have said, the regulations are administrative only and it is entirely for the elected Government whether to repeal, whether to leave the Regulations in their present form or whether to leave them in some form with whatever amendments are considered appropriate.

MR SPEAKER:

Next question.

THE HON G MASCARENHAS

Will Government state what the school population was for September, 1989, and September, 1990, for:-

- (a) First Schools
- (b) Middle Schools
- (c) Comprehensives
- (d) College of Further Education
  - (i) Full-time students
  - (ii) Part-time students
  - (iii) Evening classes?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE AND YOUTH AFFAIRS

Mr Speaker, the school population for September, 1989, and September, 1990, was as follows:

	<u>1989</u>	<u>1990</u>
(a) First Schools	1327	1287
(b) Middle Schools	1410	1416
(c) Comprehensives	1882	1886

The figures for the Gibraltar College of Further Education were:

	<u>1989</u>	<u>1990</u>
(i) Full-time students	114	132
(ii) Part-time students	357	159
(iii) Adult Education	548	628

THE HON LT-COL E M BRITTO

Will Government give details of the actual training being offered in the Construction Industry Training Scheme, explain its purpose and say how the level of remuneration was calculated?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE AND YOUTH AFFAIRS

Mr Speaker, the course is divided into three parts. The first part deals with:-

- Safety on the worksite
- General drawing (geometry)
- Drawing comprehension
- Building and engineering science (desk)
- Ferroconcrete
- Traditional shuttering
- System shuttering
- Lining and facing
- Setting-out of buildings

In the second part trainees are instructed on:-

- Professional safety
- Drawing comprehension
- Levelling
- Sewerage
- Concrete (foundation practice)
- Technical arithmetic

The third part consists of:-

- Professional safety
- Reinforcement (columns and beams)
- Shuttering (columns and beams)
- Concrete casting
- System shuttering, decks
- Technical arithmetic

Additionally there are two options which trainees may take. Option 1 is a reinforcement course. The structure is as follows:-

- Statics of ferroconcrete
- Steel allocation and shearing sheets
- Working technique (shaping of beams, columns, walls and deck structures)
- Tool engineering (cramp folding machine etc)
- Course information
- Machine operating safety

2.

Option 2 is the shuttering course. The structure is as follows:-

- Drawing comprehension
- Dimensioning of shuttering
- Function and structure of shuttering
- Auxiliary gear, etc
- Wall shuttering (wall corners)
- Stairway shuttering
- System shuttering (practice, theory)
- Beam shuttering (web reinforcement)
- Column shuttering
- Deck shuttering (lattice girders)

The purpose of the course is to give trainees the necessary grounding to enable them to obtain employment on a semi-skilled basis in the modern construction industry.

Remuneration was calculated on the basis of payment given to vocational cadets but course members were assured they would not suffer any loss of earnings where benefits were being paid to them by Government.

SUPPLEMENTARY TO QUESTION NO. 94 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, does Government feel in retrospect that the level of pay was adequate, or is adequate?

HON J L MOSS:

Yes, Sir.

HON LT-COL E M BRITTO:

Mr Speaker, does the Hon Minister realise that the level of pay is below that of apprentices?

HON J L MOSS:

Mr Speaker, does the Hon Member realise that we are not talking about pay here, that we are talking about people being trained to do jobs and not actually doing jobs?

HON LT-COL E M BRITTO:

Mr Speaker, I am not here to answer questions. I am asking a question and will the Hon Member answer it?

HON J L MOSS:

Mr Speaker, I have just answered the question with a rhetorical question of which the Hon Member is extremely fond but if he chooses to repeat his question I will repeat the answer.

HON LT-COL E M BRITTO:

Mr Speaker, how many took part in the first course?

HON J L MOSS:

Mr Speaker, does the Hon Member mean the course prior to the last one?

HON LT-COL E M BRITTO:

Mr Speaker, there is only one first course. I understand that there have been two. The first one terminated; the second terminated prematurely and the third one is now in progress. Is that correct?

HON J L MOSS:

Yes, Mr Speaker. I was just trying to clarify the point because the Hon Member is very fond of telling everyone else that they do not understand what he is thinking. So I wanted to be clear as to what the Hon Member was thinking. The first course, Mr Speaker, we started off with, and I would be wrong by one or two, I think it was 33 or 34 trainees.

HON LT-COL E M BRITTO:

What degree of success, Mr Speaker, has there been in employing those who took part in this first course?

HON J L MOSS:

Fairly substantial, Mr Speaker. There were some people who did not wish to go into employment in the field. But the bulk of those who actually completed the course and obtained a certificate are, in fact, in employment.

HON LT-COL E M BRITTO:

Are the bulk of those that are in employment in one particular sector of the Construction Industry or spread throughout the Industry?

HON M A FEETHAM:

Mr Speaker, when we set up the first course to a point it was also sponsored by the Danish Company called Hojgaard and Schultz who made it a point on signing the contract with the Europort that they were keen in employing as many Gibraltarians as possible, on site, and therefore pass over skills that were necessary in the pre-fabricated building construction industry. Therefore 28 of the 32 or 33 trainees who finished the first course were employed either in the Europort site or the Building Components Factory.

HON LT-COL E M BRITTO:

Is it the intention, Mr Speaker, for the course to provide labour primarily for the Europort and the Building Construction Company?

HON J L MOSS:

Not necessarily, Mr Speaker. As I said in the original answer to the question it is to enable us to have people at semi-skilled level employed in the Construction Industry. I was not tying it down to any particular firm.

MR SPEAKER:

Next question.

THE HON G MASCARENHAS

Will Government state the revenue raised for the last financial year and the expected revenue for this financial year of the £2 weekly training levy, how it was spent last year and how is it being spent this year?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, the revenue raised in respect of the £2 training levy for the last financial year was £1,324,952. The expected revenue for 1990/91 is £1,328,964.

Last year only the cost of the payment to the vocational cadets was charged to this fund. This year the cost of administration involving the personnel employed in the Employment and Training Unit and the cost of the Construction Training Course and Instructors will be paid out of the fund.

SUPPLEMENTARY TO QUESTION NO. 95 OF 1990

HON G MASCARENHAS:

Mr Speaker, can the Hon Minister say how much was spent in the last financial year on the vocational cadets? From the Hon Minister's answer this would appear to be the only payment made.

HON R MOR:

Mr Speaker, around £475,000.

HON G MASCARENHAS:

Mr Speaker, can the Government then say how or where was the rest of the money used for?

HON R MOR:

Yes, Mr Speaker, the unspent money has been carried over from last year. It is, in fact, a deliberate policy of this Government to build up a reserve in order to forward plan for higher training requirements in 1991/92 which may arise in the light of possible MOD redundancies.

HON G MASCARENHAS:

Mr Speaker, does the Government have any idea of the amount of reserves that they wish to have by 1991/92?

HON R MOR:

Mr Speaker, we will not know of this until the accounts are finalised.

HON P C MONTEGRIFFO:

Mr Speaker, will any payment be made to the Gibraltar Development Corporation out of these funds bearing in mind that the Corporation is undertaking within its umbrella this matter? If so, Mr Speaker, on what terms?

HON CHIEF MINISTER:

There will be no payments to the Development Corporation as such. What will happen is that, at present, the money is held on deposit with the Government and the costs are met out of advances. This will be put right this year by the money being kept in a separate fund under the umbrella of the Development Corporation by the law that we introduced creating the Gibraltar Development Corporation providing for sub-funds to exist which would be kept distinct from any other money of the Gibraltar Development Corporation and for specific purposes. So, in fact, there will be no payment to the Development Corporation for any services that the Development Corporation provides independent of the people actually employed in the Employment and Training Unit.

HON P C MONTEGRIFFO:

Mr Speaker, I am grateful for that explanation. The letters of appointment of the trainees, for example, the last trainees, were issued by the Gibraltar Development Corporation if my memory serves me right, does the Hon Chief Minister's answer indicate that the administrative costs that may partially be borne in the future by this fund will be partly administrative costs of the Development Corporation charged with the task of administering and operating this and other similar schemes?

HON CHIEF MINISTER:

No, Mr Speaker, because the costs that are going to be allocated are the costs that have been met by the Government since the 1st January and which will be put right during the course of this financial year. The same people who are employed to administer the Scheme today are going to be the same people who will be co-opted to do the work under the aegis of the Development Corporation. The Development Corporation will not be employing anybody or doing anything or providing any service that is not already being provided by the Government.



HON P C MONTEGRIFFO:

Lastly, Mr Speaker, will the Minister, or the Government generally, confirm that if the funds are placed under the umbrella of the Development Corporation that the Government will remain answerable for the level and use to which these funds are put notwithstanding their control by the Corporation rather than the direct control by Government?

HON CHIEF MINISTER:

Well, Mr Speaker, the terms under which the funds will be used will be laid down by the Government in creating the sub-fund and in the creation of the Employment and Training Unit. That Unit will, in fact, operate under the management of a Committee which will be chaired by Government Ministers. So there will be Government control.

HON P C MONTEGRIFFO:

I appreciate that, Mr Speaker. Perhaps I have not made myself understood and I will put the question this way. Would the question put to the Government today be answered to the same extent in two year's time when the Development Corporation would have the pertinent information as to how the money had been spent and would the Government give the same sort of answer that has been given today. I say this because the money would then have, for technical reasons, been given to the Development Corporation as the Chief Minister has explained.

HON CHIEF MINISTER:

In this particular case, Mr Speaker, we are talking about a situation where the creation of the Employment and Training Unit, within the Civil Service, for the purpose of training people who are not intended to be given employment in the Government Service was a temporary measure in order to effectively get the scheme off the ground. The Member opposite will recall that when we brought the matter to the House for the first time, we said that it was a priority of the Government to bring in an Employment and Training Ordinance which would, in fact, have created a statutory organisation under which the Employment and Training Unit would have operated. Because of the difficulties and delays that we experienced in giving effect to this policy decision, it was a policy decision included in our manifesto in 1988, which we hoped to give effect in 1988/89 but we were not able to do so and we announced in the Budget of 1989 that we hoped to do it in 1989/90. We were not able to do so then so at the end of the day we settled for bringing it under the Development Corporation which had been created primarily in relation to the question of air traffic, as the Hon Member knows, and we took advantage of the fact that the Development

Corporation was able to, by its terms of reference, undertake the responsibility for matters relating to the labour market, as well as to the question of investment and economic development and therefore we slotted it in there. The situation is that the Development Corporation will effectively be giving results to policy directives from the Government. The Government will answer in the House of Assembly for the policy directives.

HON P C MONTEGRIFFO:

I assume, Mr Speaker, that the type of answer given today, detailing the breakdown of the use of funds, will not be available once the Development Corporation assumes a fuller role in the management of those funds albeit within the ambit explained by the Chief Minister?

HON CHIEF MINISTER:

It will still be available, Mr Speaker, because at the moment the situation is that the money is, as I have explained, on deposit with the Government. It was the intention to create a statutory Employment and Training Board which would manage on behalf of the Government. Instead of the statutory Employment and Training Board there will be a Board within the Gibraltar Development Corporation. That Board will then produce itself an account of the income and the expenditure which will be available to the Government and which the Government will be able to make available to the House of Assembly once it has it.

HON G MASCARENHAS:

Mr Speaker, is it the Government's intention to use the reserves obtained from the training levy exclusively for re-training as a result of redundancies?

HON R MOR:

Yes, Mr Speaker, it will be used for training and re-training as necessary.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Will Government explain the mechanics of the system of making payments to individuals from the Social Assistance Fund and say whether:

- (a) beneficiaries who are unable to collect personally due to incapacity are submitting medical certificates periodically to confirm this; and
- (b) identification checks are carried out when paying beneficiaries or beneficiaries' agents?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, most of the benefits paid to individuals from the Social Assistance Fund are paid by cheque.

Supplementary Benefits are however paid by cash and the majority of these are collected by the persons concerned.

In the case of persons unable to collect their benefits due to illness, these persons can appoint an agent to collect on their behalf and must submit the necessary medical evidence. These persons are visited periodically by a visiting officer and/or a social worker.

Identification checks are carried out by our cashiers on the identity of beneficiaries or their agents before payments are made.

SUPPLEMENTARY TO QUESTION NO. 96 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, I am satisfied with the answer as it concerns Supplementary Benefits to individuals from the Social Assistance Fund. However, is there some back-up system to check that cheques are going to the right person? Are they delivered by hand or by post?

HON R MOR:

Well, Mr Speaker, payments issued by cheques are made out to the person concerned and can only be collected by that person. It is up to the bank to ensure that anyone cashing the cheque is the correct person and can ask for identification.

HON LT-COL E M BRITTO:

Mr Speaker, it is not as easy as that because if someone has a bank account with a second person that cheque can go into a joint account even if the person who is entitled has died or is away from Gibraltar or has emigrated to Australia. So I repeat "Is there any back-up system to ensure that persons who are being paid by cheque are receiving their money"?

HON R MOR:

Mr Speaker, we have no reason to suppose that what the Hon Member is suggesting is happening. We normally get a return from the cheques that have been collected and if for any reason there is some cheque which has not been cashed we will investigate the reasons and check whether the person has died. However, what the Hon Member is suggesting, Mr Speaker, we have no reason to suspect is happening.

HON LT-COL E M BRITTO:

So the Hon Minister is satisfied with the system and does not intend to have a back-up system of checks?

HON R MOR:

On the information we have available at the moment, no. But if the Hon Member has any reason to suspect anything he should let me know and I will follow it up.

HON LT-COL E M BRITTO:

Finally, Mr Speaker, is the Social Assistance Fund audited by the Principal Auditor or by a private company?

HON R MOR:

It is audited by the Principal Auditor, Mr Speaker.

MR SPEAKER:

Next question.

23.10.90

NO. 97 OF 1990

ORAL

THE HON P C MONTEGRIFFO

What is the Government's position on the future of Mount Alvernia?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, since this is the subject of a motion on which notice has been given, the Government wishes to reserve its position until the motion is debated.

SUPPLEMENTARY TO QUESTION NO. 97 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, I hope that the position will be clearer by then.

HON R MOR:

We hope so too, Mr Speaker.

MR SPEAKER:

Next question.

THE HON P C MONTEGRIFFO

Has the Government abandoned its electoral promise to reduce the pensionable age of men to 60 in its first term of office?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, no such electoral promise was made by the Government. The Hon Questioner may be confused in that it is not the Government who have abandoned an electoral promise but rather that he himself abandoned the Party which made such an electoral promise.

SUPPLEMENTARY TO QUESTION NO. 98 OD 1990

HON P C MONTEGRIFFO:

Mr Speaker, it is always nice to have a touch of humour. Is the Government aware that it is perceived generally that the introduction of what could be termed a social wage, and which was an electoral promise, was a method of introducing pensions at 60 and that that perception is the perception which the majority of people have been making and are expecting the Government to deliver on?

HON CHIEF MINISTER:

Mr Speaker, that may be a perception which we are not in a position to judge. But, of course, it is an incorrect perception because were that the case, it would be in conflict with Community Law.

HON P C MONTEGRIFFO:

Mr Speaker, the fact remains that the electoral promise to introduce a social wage that would commence at 60 and which would be introduced by yearly reductions is perceived by people, I do not know whether it is contrary to Community Law, I am talking about the electoral promise made and the perception that it was designed to generate that promise, the methodology, nothing more than that, the methodology by which we would, Gibraltar would equate, pensionable age now applied to women, at 60, with pensionable age applied to men. As a result will Government undertake that in the new arrangements which it is planning and which will substitute the current scheme that equality of treatment, in terms of either social wage or pensionable benefits, as they may be deemed appropriate, will be provided for in the new arrangements?

HON CHIEF MINISTER:

It is certainly something that we are looking at in the context of the new arrangements. Therefore if the new arrangements provide for payment at the age of 60 then the need for the social wage would not exist. However, we cannot say, at this stage, whether it will happen or not. What we can say is that the social wage which was the electoral promise made by the GSLP was an alternative to reducing the pension and as was answered by my colleague, in answer to Question No. 5 of 1990, from Dr Valarino, in fact it has been given effect to quicker than promised. Because it was promised in annual stages and we assessed the situation and were able to do it all in one go. That scheme will continue in effect unless and until it is replaced by something better.

HON P C MONTEGRIFFO:

Mr Speaker, would it, in fact, not be contrary to Community Law for a new scheme to be introduced on the basis that it discriminated between men and women? And therefore putting aside the question of Government policy, of which I would be happy to learn the Government's views, is it not the case that we would be obliged to introduce equality of treatment in the new arrangements that are being planned?

HON CHIEF MINISTER:

Well, Mr Speaker, the distinction that there is at the moment in the Laws of Gibraltar as regards social insurance exists in other places, they are not unique to Gibraltar, they exist in the United Kingdom and they exist in other social security systems in other parts of the Community. So if it were against Community Law, I am sure the Community would have stopped other people from doing it. Certainly we would not be able to introduce anything in 1993 which is in conflict with Community Law, because it would be thrown out as being invalid, and we are committed with the British Government in exploring what we are able to introduce to ensure that it is compatible with the requirements of Community Law on social security.

HON P C MONTEGRIFFO:

Mr Speaker, would it be fair for me to summarise then, on the basis of putting a question, that its preference is to seek an equality of age when it comes to the question of receipt of payment, be it by way of pension or be it by way of a social wage and that that preference for equality between men and women will be taken account and reflected to the greatest extent possible in the new arrangements which the Government is putting together? Would that be a fair summary of the Government's position?

HON CHIEF MINISTER:

Mr Speaker, I think that it is a fair summary to say that it is something that we are, as the Member opposite has pointed out, taking this factor into account. We do not know to what extent it will be reflected in what is finally agreed, and it would be wrong to give the impression that we are already in a position to say something which we are, in fact, not in a position to say. I have, in fact, had brought to my attention by the Minister for Labour and Social Security, that the Social Security Acts in the United Kingdom of 1975 and 1986 specifically refer to the exclusion from the Community Directives of the determination of pensionable age for the purposes of granting old age retirement pensions. So the position is, in fact, if one were to argue that there is discrimination in the treatment of social security it is, in fact, of course, discrimination in favour of females and against males. I do not think we have ever had, to my knowledge, a case of males under the Sex Discrimination Act in UK or the Equal Opportunities Act actually suing employees or the Government for being discriminated against. However, it is quite obvious if that interpretation was possible it would have been tried by someone.

MR SPEAKER:

Next question.



THE HON P C MONTEGRIFFO

What are the Government's plans for the future of nursing training in Gibraltar and will it confirm or deny that it is proposed to close down the present Nurse Training Centre?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, Government's plans for the future of nursing training is to follow the changes being introduced in UK and assess how they can be adapted to Gibraltar's needs as recommended by the Snee Report on nurse education. It is not proposed to close down the Nurse Training Centre.

SUPPLEMENTARY TO QUESTION NO. 99 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, does the Government therefore still stand by the totality of the recommendations made by the Report put together by the UK team of Doctors and Nurses, I believe it was, that visited Gibraltar in 1987 and which prepared a report on nursing levels and on the need to enhance nurse training to achieve effectively UK complements in wards, etc. Does the Government stand by those recommendations and, if so, when will it implement those recommendations?

HON MISS M I MONTEGRIFFO:

Mr Speaker, it is difficult for me to answer that question because in UK at the moment there are so many changes taking place that what we are doing is taking note of the changes and once the UK has implemented that change try to adapt it, according to our needs, and introduce it in Gibraltar.

HON P C MONTEGRIFFO:

Mr Speaker, I accept the need to keep abreast of the changes that may be taking place in the UK but is not the point that has to be addressed the Report produced in 1987 which already identified serious inadequacies in the training and complement of nursing facilities in Gibraltar? And whilst changes may be occurring in UK, we are lagging so far behind that the Government should still be abiding by its commitment, when in Opposition, to implement those recommendations and to keep an eye on changes in the UK so that we do not continue to fall behind standards there.

HON MISS M I MONTEGRIFFO:

I can confirm to the Hon Member that as a result of the 1987 recommendations made to the previous administration a lot of those recommendations have already been introduced in Gibraltar. We are therefore not only keeping an eye on recent changes in the UK but have also introduced most of the recommendations made in 1987.

HON P C MONTEGRIFFO:

Mr Speaker, is it not true to say that the Hon Minister is not satisfied with the level of nurse training in Gibraltar at present and with the complement of nursing in our wards?

HON MISS M I MONTEGRIFFO:

Mr Speaker, this Government since it came into power has increased considerably the complement of nurses. In fact, Mr Speaker, I remember when I was in Opposition I queried that there was a shortfall of nurses and as soon as we came into Government we devoted £187,000 to recruit more nurses.

HON P C MONTEGRIFFO:

Mr Speaker, does the Government not accept that there are still serious inadequacies in the number of nurses in our wards and that there is still a long way to go, as far as I understand it, even to get to the level of the recommendations of the 1987 Report let alone any other revised levels which the UK may be introducing? Is that not a fact?

HON MISS M I MONTEGRIFFO:

Mr Speaker, whereby hospitals in the UK are being closed down here in Gibraltar we have . . . . .

HON P C MONTEGRIFFO:

Mr Speaker, that is not the question. In the UK there is Mrs Thatcher and here in Gibraltar we have Mr Bossano. Whilst in the UK they are trying to cut public expenditure here we....

MR SPEAKER:

Order, order.

HON MISS M I MONTEGRIFFO:

Mr Speaker, the situation in Gibraltar is that we have increased nursing levels considerably. We have, in fact, spent a lot of money in recruiting nurses. Very recently, Mr Speaker, we have opened the scope to enable married women to work as nurses in the Health Authority on a part-time basis.

MR SPEAKER:

I must stop the Hon Member because the question concerns the training of nurses and we are now going into the staffing levels and I think it is unfair on the Minister.

HON P C MONTEGRIFFO:

Mr Speaker, I am grateful for your liberty in having allowed me to put that supplementary. However, my final question concerns directly my original question. Will the Hon Minister confirm that the training in the Nurses Training Centre is and will continue to be designed to allow trainees full reciprocity with EEC arrangements? Because there have been problems in the past. Will the Minister confirm that if we are not yet at that level it is our intention to be?

HON MISS M I MONTEGRIFFO:

Yes, Mr Speaker, I can confirm that that is the Government's objective.

HON P C MONTEGRIFFO:

Do we, in fact, have, Mr Speaker, any indication of the type of further resources that will be necessary to get us to that level? And what timescale does the Government expect before introducing these measures?

HON MISS M I MONTEGRIFFO:

Mr Speaker, a lot has been done already and we are also trying very hard to introduce the other measures but there are so many options open to us that it would be irresponsible and premature to give a timescale.

MR SPEAKER:

Next question.

23.10.90

NO. 100 OF 1990

ORAL

THE HON DR R G VALARINO

Have the consultants at St Bernard's Hospital had their contracts of employment renewed and, if so, are there any changes in their conditions?

ANSWER

THE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Answered together with Question Nos. 101 and 102 of 1990.

23.10.90

NO. 101 OF 1990

ORAL

THE HON DR R G VALARINO

Have consultants who have been engaged recently been employed on conditions different to those of current consultants?

ANSWER

THE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Answered together with Question Nos. 100 and 102 of 1990.

THE HON DR R G VALARINO

What is the position of the appointment of the new Pathologist?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, the Consultants at St Bernard's Hospital have their contracts renewed when they expire and the position of the Government is that whether we are talking about the renewal of an existing Consultant's contract or a contract offered to a new Consultant, it is a matter which is agreed between the individual and the Health Authority on terms acceptable to both sides. The position of the new Pathologist is that he has been appointed on terms acceptable to both sides and he has therefore taken up the post.

SUPPLEMENTARY TO QUESTION NOS. 100, 101 AND 102 OF 1990

HON DR R G VALARINO:

Mr Speaker, arising from the Hon Minister's answer to the three questions, first of all, in respect of the appointment of the new Pathologist although the agreement has been on a mutual basis, have on this occasion Colonial perks such as a house, etc been done away with?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I am not too sure what the Hon Member is referring to.

HON DR R G VALARINO:

The provision of a Quarter.

HON MISS M I MONTEGRIFFO:

A Quarter is provided as in the past, Mr Speaker.

HON DR R G VALARINO:

Thank you, Mr Speaker. Could the Hon Minister tell me whether all Consultants presently working at St Bernard's Hospital whose contracts are up for review are they likely not to be renewed?

HON MISS M I MONTEGRIFFO:

Mr Speaker, that is a matter for the Government to decide as and when the contracts expire. It is not for me to say anything on the matter in this House. It is the prerogative of the Government to decide whether to renew a contract or not.

HON DR R G VALARINO:

Mr Speaker, there is a lot of speculation that one of the Consultant's contracts, in fact, he has already been told that his contract will not be renewed, I was wondering whether the Hon Minister had anything to say on the matter?

HON MISS M I MONTEGRIFFO:

Mr Speaker, this supplementary question is very similar to one that I answered concerning the previous Pathologist and I explained, at the time, the Government's position on the matter. Consultants come to Gibraltar on a three year contract and it is the prerogative of the Health Authority to decide whether to renew a contract or not.

HON DR R G VALARINO:

But, surely, Mr Speaker, if the contract is due to expire in the short-term the Gibraltar Health Authority should be making the necessary arrangements as to whether they are going to retain the present Consultant or seek a new one?

HON MISS M I MONTEGRIFFO:

Mr Speaker, if, for example, the Health Authority were to decide not to renew an existing contract, under their contract terms they are given three months notice. That position has not yet arisen with any of the present Consultants employed by the Health Authority.

HON A J CANEPA:

Mr Speaker, has there been any change in the conditions of the contracts of Consultants which reflect changes in Government policy and which reflect not just changes but which reflect the actuality, what Government policy is, in respect of, for instance, the proportion allowed for private medicine?

HON MISS M I MONTEGRIFFO:

Mr Speaker, when I answered the question I made it very clear that when the Government employs a Consultant the negotiations are negotiated between the individual and the Government and if mutually acceptable see no reason why the Government should make it public. The contracts are negotiated between the Personnel Manager's Department and the individual Consultant and if both are in agreement and happy with the situation there is no reason to discuss the matter here. If the Consultant were not happy with the terms he would no doubt leave and then there may be a problem.

HON A J CANEPA:

If Consultants previously, Mr Speaker, were, for example, allowed 20% of private practice and now contracts are being renewed and Consultants are accepting, let us say, 10% of private practice as a direct consequence of Government policy, surely, Mr Speaker, that is a legitimate matter which we have the right to raise in this House and which the public has the right to know. It is an important change in Government policy.

HON MISS M I MONTEGRIFFO:

First of all, the Hon Member is talking about 20%.....

HON A J CANEPA:

Hypothetically, Mr Speaker.

HON MISS M I MONTEGRIFFO:

Yes, Mr Speaker, it is hypothetical because it does not really exist. I remember when I was on the opposite side of the House and I used to ask about conditions relating to private practice and there was nothing agreed. It is completely de-controlled at the moment.

HON A J CANEPA:

Mr Speaker, is the Hon Minister then saying that there are no limitations being placed in the new contracts on the amount of private practice that a Consultant can undertake?

HON MISS M I MONTEGRIFFO:

Mr Speaker, what the Minister is saying is that anything which is negotiated with new Consultants is a matter between that individual and the Government.



HON A J CANEPA:

Mr Speaker, is the Hon Minister saying that the Government or the Health Authority is negotiating contracts on an individual basis and that there is no uniformity in the conditions such as in respect of the amount of private practice that is allowed? Is there no uniformity? Is the Hon Minister saying that if a particular Consultant agrees with the Government a certain proportion, another Consultant can agree a different proportion? Is there no ceiling, no maximum amount allowed? Is that what the Hon Minister is saying?

HON MISS M I MONTEGRIFFO:

No, Mr Speaker. The Minister is saying that as far as the new contracts are concerned, that is a matter between the Personnel Department and the individual. The individual accepts the conditions that the Government is placing and which in the opinion of the Government is in the interest of the public. I cannot see why this information should be divulged to the Hon Member.

HON A J CANEPA:

Mr Speaker, how does the Hon Minister expect the public to know whether it is in their interest if the public does not know what the Government is doing?

HON MISS M I MONTEGRIFFO:

Mr Speaker, as the elected Government responsible for what we think is good for the public. We will then be judged by our actions.

HON A J CANEPA:

Mr speaker, why the secrecy? Why does the Minister not state what the Government's policy is in respect of private medicine and let the public know whether they are safeguarding their interests? Then both those who may have recourse to private medicine and those who want to ensure that there are Consultants available to look after public patients will be aware of the facts. How can people make a judgement when the Minister refuses to give any information?

HON CHIEF MINISTER:

Mr Speaker, if the Government wants to make a policy on private medicine it will do so because it wishes to do so and not under the guise of a question from the Member opposite as to whose contract has been renewed and whose contract has not. The answer is that when they were in Government there was no policy. That is the answer.

HON A J CANEPA:

And now, Mr Speaker, when they are in Government, will the Chief Minister say whether there is a policy and, if so, whether it is a policy which the public cannot know about? Is that the position?

HON CHIEF MINISTER:

Mr Speaker, the position is that there are people employed on contracts that were given by the previous administration, that those contracts are renewed when they expire and like everything else that is reviewed and has been reviewed since April 1988, will be an improvement on what we inherited from the AACR. This is why the people put us in Government and put the AACR on the other side. The improvements will be seen by the quality of the service that the patients get and not because the Hon Member gets a bee in his bonnet to ask questions in this House.

HON DR R G VALARINO:

Mr Speaker, is the Hon Minister happy with the quality that patients get from Consultants as far as public patients are concerned? I ask this, Mr Speaker, because in this report it says in respect of Consultants with private practice: "they should make substantially the same contribution to Health Service as those with a full-time contract". Is the Hon Minister quite happy that the time devoted to public patients is as much as any Consultant would be able to do in the Hospital?

HON CHIEF MINISTER:

Mr Speaker, I think that the Hon Member is asking a question which is pre-empting his next question.

MR SPEAKER:

Next question.

THE HON DR R G VALARINO

What is the average waiting time for public patients who are referred to -

- (a) Consultant Physicians
- (b) Consultant Surgeons
- (c) Consultant Gynaecologist
- (d) Specialist in ENT

at St Bernard's Hospital?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, the average waiting time for public patients who are referred to Consultant Physicians, Consultant Surgeons, Consultant Gynaecologist, Specialist in ENT at St Bernard's Hospital is the following:

General Medicine	-	1 week
General Surgery	-	1 - 2 weeks
Gynaecology	-	13 weeks
ENT	-	8 - 9 weeks

The position is no different from what it was a year ago but we have no comparable figures before 1988, because no records were previously being kept.

SUPPLEMENTARY TO QUESTION NO. 103 OF 1990

HON DR R G VALARINO:

Mr Speaker, I think those figures err on the side of being kind to the Consultants involved. In respect of (c) and (d) the Consultant Gynaecologist a waiting time of 13 weeks is certainly a long time for a patient to have to wait. Three months is a long time for a referral. As far as the Specialist in ENT is concerned public appointments are now being taken and a letter is then sent to the patient as to how long the appointment will take. I wonder, Mr Speaker, whether there is anything that the Hon Minister can do to lessen the time of waiting for (c) and (d)? Particularly in respect of gynaecology where a wait of three months is far too long.

HON MISS M I MONTEGRIFFO:

Mr Speaker, we are talking about referrals. With respect to urgent cases I cannot accept that it will take that long, Mr Speaker.

HON DR R G VALARINO:

Mr Speaker, we are now going into the realms of medicine and very often one does not know what is an important case or not an important case. That is why it is referred to the Consultant.

HON MISS M I MONTEGRIFFO:

Mr Speaker, it is up to the doctor to decide.

HON DR R G VALARINO:

Well, Mr Speaker, if the doctor does not see the patient he is unable to decide.

HON MISS M I MONTEGRIFFO:

Mr Speaker, I cannot see the patient myself.

HON DR R G VALARINO:

Mr Speaker, I am aware that the Hon Minister has no medical qualifications but the Gynaecologist is employed by the Health Authority and the Hon Minister is responsible in this House for Medical Services so if the Hon Minister could do anything so that the Gynaecologist could see patients earlier and carry out an investigation, cases of disease could be treated that much quicker than otherwise. I would be grateful if the Minister could give consideration to this particular subject and make sure that patients who are referred to Consultants do not, because of the time factor, have to be seen privately first and then subsequently as a public patient?

MR SPEAKER:

Will the Hon Member put it as a question.

HON DR R G VALARINO:

Mr Speaker, is the Minister satisfied that 13 weeks to see the Gynaecological Surgeon is good enough for the average Gibraltarian?

HON MISS M I MONTEGRIFFO:

Mr Speaker, first of all, when a patient is referred to the Gynaecologist he has to go to a GP. If the GP decides that that person has to see the Gynaecologist he will write a letter saying whether it is a matter of urgency. I have given the Hon Member an average of what patients have to wait to see the Consultant. If a GP decides that a case is urgent he is seen before those 13 weeks.

HON DR R G VALARINO:

Mr Speaker, let me add, finally, that appointments are now being given to see the Gynaecologist for next March and I am sure that the present Gynaecologist has no idea at all, whether the cases are of an urgent or routine nature. To have to wait for this amount of time says a great deal for the lack of service in this Department. Let alone the others who also have to wait longer than what the Minister has actually said.

MR SPEAKER:

Next question.

THE HON DR R G VALARINO

What are the Government's plans for the future of the Private Corridor at St Bernard's Hospital?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, Government is not planning any changes.

SUPPLEMENTARY TO QUESTION NO. 104 OF 1990

HON DR R G VALARINO:

Mr Speaker, could we have an indication of the short-term or the long-term plans of the private corridor?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I have just answered that the Government is not planning any changes. How can I give a short-term or long-term answer.

HON DR R G VALARINO:

Mr Speaker, I should be grateful if the Hon Minister would sit down and let me finish my question and not interrupt. As the Hon Minister is aware the private corridor in the short-term is being used as a decanting ward.....

MR SPEAKER:

The Hon Member should phrase his words in the form of a question.

HON DR R G VALARINO:

Mr Speaker, when will the private corridor revert back to its proper use?

HON MISS M I MONTEGRIFFO:

Mr Speaker, the private corridor has not gone back to its original state as a private corridor because of the lack of maintenance by the previous administration. We have had to repair the roofs and also re-do other wards and which I must say is going at a very fast pace and as a result we have had to decant public ward patients to the private ward. Work is now being undertaken in refurbishing John Ward and we have had to decant patients to the private corridor. The roof of the private corridor and the corridor itself have just been refurbished.

HON DR R G VALARINO:

Mr Speaker, what is the long-term plan for the private corridor?

HON MISS M I MONTEGRIFFO:

It will continue to be a private corridor. We do not envisage any change.

HON A J CANEPA:

Will the Hon Minister say when the decanting process is expected to be concluded?

HON MISS M I MONTEGRIFFO:

When the works are completed, Mr Speaker.

HON A J CANEPA:

Does the Hon Minister have a target date, Mr Speaker?

HON MISS M I MONTEGRIFFO:

Mr Speaker, in the past it has taken three or four months to refurbish other wards in St Bernard's Hospital. I am however reluctant to commit myself to a tight schedule because once a ward is tackled as a result of the past lack of maintenance all sorts of problems arise and a little more time is required to refurbish it.

HON A J CANEPA:

Mr Speaker, is it not a fact that the refurbishment of John Ward goes back to last year?

HON MISS M I MONTEGRIFFO:

No, Mr Speaker, John Ward started its refurbishment some three weeks ago.

HON A J CANEPA:

Mr Speaker, is it not a fact that before Christmas last year patients were already being decanted from John Ward into the private corridor?

HON MISS M I MONTEGRIFFO:

No, Mr Speaker.

HON A J CANEPA:

Well, I was there in the hospital myself visiting a patient and I was aware that they were being decanted from John Ward.

HON MISS M I MONTEGRIFFO:

Perhaps, Mr Speaker, John Ward was full at the time and it is the policy of the Government, just as it was the policy of the previous Government, that when a ward is fully occupied they are decanted to the private corridor. The overflow.

MR SPEAKER:

Next question.



23.10.90

NO. 105 OF 1990

ORAL

THE HON K B ANTHONY

Is it Government policy to sacrifice existing sportsground facilities for development purposes?

ANSWER

THE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 105 OF 1990

HON K B ANTHONY:

Mr Speaker, we already have a situation where Naval Ground No.2, which was an existing sportsground, is going to be developed. Can the Hon Minister confirm that this is a one-off situation?

HON MISS M I MONTEGRIFFO:

Mr Speaker, what I have said is that the policy of the Government is that whenever there is a sporting facility which is going to be developed, if it happens in the future, the Government will not sacrifice that sportsground in the detriment of sporting associations. I am giving that commitment in this House of Assembly.

MR SPEAKER:

Next question.

23.10.90

NO. 106 OF 1990

ORAL

THE HON LT-COL E M BRITTO

Does Government intend to introduce the European Driving Licence and, if so, when?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Yes, Sir, the European Community Driving Licence will be introduced as from 1st December this year.

SUPPLEMENTARY TO QUESTION NO. 106 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, is the Minister prepared to give us some further details?

HON J C PEREZ:

The Hon Member has not asked for details in his original question, Mr Speaker. There may be some details which I can provide but I cannot promise to provide all the details.

HON LT-COL E M BRITTO:

Mr Speaker, what I was seeking more than anything else is details for public knowledge.

HON J C PEREZ:

Mr Speaker, for general information we will be issuing a Press Release at the time that the licences become available.

HON LT-COL E M BRITTO:

Mr Speaker, will the licence be running in parallel with the Gibraltar licence or instead of it?

HON J C PEREZ:

Mr Speaker, it will be available as from the 1st December this year. Most of the driving licences in Gibraltar expire in December, 1993, so the new driving licences will be issued as European Community Driving licences and any person that might wish to change their licence will be free to do so. However, those who wish to continue with their present licence until it expires can do so. Once it expires they will be issued with a European Community Driving Licence.

HON LT-COL E M BRITTO:

Finally, Mr Speaker, what period of validity does the European Licence have?

HON J C PEREZ:

It will be valid until the age of 70 years after which it will be renewable for a period of three years subject to a Medical Practitioner in Gibraltar certifying that that person is able to drive.

HON LT-COL E M BRITTO:

Mr Speaker, just to clarify something that the Hon Minister has said. When the Hon Minister says that the licence will be valid up to the age of 70 years, does that mean that like the UK licence, and as opposed to our current licence, it does not have to be renewed every three years?

HON J C PEREZ:

That is correct, Mr Speaker. It will be a one-off licence.

HON LT-COL E M BRITTO:

Thank you, Mr Speaker.

MR SPEAKER:

Next question.

23.10.90

NO. 107 OF 1990

ORAL

THE HON K B ANTHONY

Will Government give serious consideration to installing a letter box on the Upper Rock, in the vicinity of Princess Caroline's Battery, for the benefit of the increased population in the Upper Rock area?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

No, Sir, the Government does not feel that the situation warrants the installation of a letter box.

SUPPLEMENTARY TO QUESTION NO. 107 OF 1990

HON K B ANTHONY:

Mr Speaker, does the Hon Minister have a figure in mind of the minimum population that you need for a letter box?

HON J C PEREZ:

Mr speaker, I am not too sure of what the Hon Member seems to be indicating about the increased population in the Upper Rock. The only increase that I am aware of is the ten extra families now living at Poca Roca. The ape population has certainly not increased!

HON K B ANTHONY:

Mr Speaker, there are families living at Devil's Gap who have lived there for many years, there are now families living at Poca Roca and there are also many dozens of tourists who go up the Rock, I have seen them myself and are not able to post their cards, etc.

HON J C PEREZ:

Mr Speaker, I am sorry but the Hon Member is talking about the increased population in the Upper Rock and apart from the people who have lived there all their lives the only new population is the ten extra families at Poca Roca. Now, Mr Speaker, under those circumstances the Government does not feel that it warrants a letter box in the Upper Rock. With regard to the number of tourists visiting the Upper Rock I must remind the Hon Member that they also visit other areas of Gibraltar, including the town, where there are letter boxes available. We therefore feel that we are catering suitably well. I can inform the Hon Member that there are areas in Gibraltar which are being looked at and which have a vast

2.

number of people where no letter box exists. One of these areas is Willis's Road and I would have thought that the Hon Member should have been more concerned with this area than about Poca Roca. However, Mr Speaker, the Willis's Road area is something that we are thinking about with a view to installing a letter box. Quite apart from this we have ordered letter boxes for the new developments but, at present we do not consider that the Upper Rock warrants the installation of a letter box.

MR SPEAKER:

Next question.

THE HON K B ANTHONY

Is the Government aware of the uncompleted and vandalised telephone booths on the Rock, and if so, what are they prepared to do about them?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, I put the enquiry of the Hon Member to Gibraltar Nynex Communications Limited, the company which is now responsible for the internal telecommunications system, who say they are totally aware of the vandalism problems affecting payphone booths.

The company says that these booths which have doors missing will be repaired as soon as new doors have arrived from the United Kingdom.

The whole matter of pay booths has nonetheless been reviewed and the Company is in the process of installing card phones which are said to be less prone to vandalism. In fact, work has already started on this programme with the connection of two card phones, one at the Airport lounge and the other opposite the Cathedral of St May the Crowned in Main Street. I believe this last one has come into operation today. Phone cards are available from various outlets including the Skyshop, the Tourism Agency and the Post Office.

It is also intended to increase the number of pay booths by increasing the number at Casemates by a further two and the number in Main Street, although precise locations are still to be identified. These booths could be in operation by February or March next year.

SUPPLEMENTARY TO QUESTION NO. 108 OF 1990

HON K B ANTHONY:

Mr Speaker, I thank the Hon Minister for his informative reply.

HON LT-COL E M BRITTO:

Mr Speaker, can the Hon Minister say whether the cards that are going to be used are the same as those used in the UK or are they of a special kind just for Gibraltar?

HON J C PEREZ:

Mr Speaker, the cards were, in fact, ordered by the previous administration and marked as Gibraltar Telephone Department Cards. In fact, once these expire Gibraltar Nynex will be producing their own cards. It is interesting that the Hon Member has asked this question because since it is the only card of its nature, since the Gibraltar Telephone Department no longer exists, it is quickly becoming an important collectors item. There are people, from as far away as Saudi Arabia, writing in wanting to buy these telephone cards for their collection.

MR SPEAKER:

Next question.

NO. 109 OF 1990

ORAL

THE HON K B ANTHONY

When does Government expect the traffic flow in the town area to be speeded up and sorted out?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, reports from both the Gibraltar Police and the Traffic Commission indicate that the problem of traffic flow as a result of the infrastructural works at Queensway is not as serious as originally anticipated.

Nevertheless, certain measures have been taken to try and alleviate the problem and a plan which envisages major alterations to the traffic flow is being kept in abeyance in the event that the Police and the Traffic Commission decide that the situation warrants its implementation. Details of this were made public by me some days ago.

Contingency plans are put in operation whenever a huge increase of traffic from Spain is expected such as was the case on Friday 12th when, according to Police statistics, the population of Gibraltar doubled as a result of a national festivity in Spain. On these occasions, it is inevitable that the traffic flow in Gibraltar is affected.

Government is now looking at a much wider plan aimed at easing traffic congestion and improving the traffic flow which takes into account the new developments taking place and areas where problems have existed for many years. This will eventually result in a staged implementation of measures which will include roadworks and which will take into account the date by which some developments come into stream.

SUPPLEMENTARY TO QUESTION NO. 109 OF 1990

HON K B ANTHONY:

Mr Speaker, when the Hon Minister announced the proposed ideas for increasing the traffic flow he spoke of traffic in Main Street going from south to north instead of the traditional north to south. Can the Hon Minister explain to this House the advantages of reversing the flow?

HON J C PEREZ:

Mr Speaker, I have explained to the Hon Member that that is a plan that is being kept in abeyance. Because although everybody agrees that the traffic flow would be better as a result of the change, there are other considerations which we have



looked at and have thought it better to try and keep the traffic flowing in its present direction. Nonetheless the Police are taking measures now, at different times of the day, to try and alleviate traffic and the Guard Mounting at The Convent has been cancelled until further notice, Dudley Ward Tunnel is operating as a two-way thoroughfare in order to decongest the south district particularly early in the morning as well as the Police at any time having the authority to open up Main Street, in its present direction, if they think that there is a particularly large traffic jam or severe traffic congestion. The other plan, Mr Speaker, is kept in abeyance in case these measures do not work and we have to introduce it. However, both the Police and people in the Traffic Commission feel that the flow of traffic from south to north down Main Street would help the traffic flow tremendously since Queensway is not available and it would be another route for traffic from the south to take.

HON LT-COL E M BRITTO:

Mr Speaker, would Government give consideration to an idea that sees the light of day every so often in one of our local newspapers and that is to provide the owners of larger than average vehicles, like the motorised caravans, with a plan or an advised route to take round Gibraltar in order to avoid the problems that arise when these vehicles find themselves, for example, trying to come down Willis's Road?

HON J C PEREZ:

Mr Speaker, that is supposed to be happening. The only thing I can tell the Hon Member is that every time I go to the Police with that matter they tell me that it is supposed to be happening at the time that the caravan enters through the frontier. What I am saying, Mr Speaker, is that the Police should, at that time, restrict these caravans to certain areas and they are not supposed to come into the town area. In fact, I am told that they are now directing them to the Coach Park. This would result in them parking there and take other forms of transport or walk into town. However, notwithstanding that this is supposed to be happening once that caravan leaves the frontier Police post, it then does something different and we are laden with the problem. What cannot be done is that every caravan that passes through the frontier is followed.

MR SPEAKER:

Next question.

THE HON P C MONTEGRIFFO

What are Government's proposals in relation to the future of GBC?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, on the 14th June in a televised debate on a programme entitled "Live on Thursday" I stated that the Government would be looking into the problems afflicting GBC and coming up with proposals within three to six months. The six months which I gave myself expire on the 14th December.

As far as proposals for the future of GBC, the Government is still not in a position to reveal any details of its own thoughts on the matter given that it is still talking to a number of interested parties.

Once Government have concrete proposals, these will be discussed with the staff and the Board of GBC before a final decision is taken.

SUPPLEMENTARY TO QUESTION NO. 110 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, without disclosing the details of any negotiations, is the Government prepared to confirm, in the light of the public interest which exists in relation to the future of GBC, an element of public subsidy in any future arrangements that may be arrived at bearing in mind the public service provision and facility which GBC provides to the Community?

HON J C PEREZ:

No, Mr Speaker, I am not prepared to confirm that. To be able to make a stand one way or the other on that issue here would prejudice negotiations which are taking place and I am not prepared to do that at this stage.

HON P C MONTEGRIFFO:

Mr Speaker, would the Hon Minister accept that bearing in mind, again, the public interest that GBC arouses within the community that before any decision is taken regarding the future, both by the Government and by GBC, that as far as the Government is concerned it is prepared to make public details of the proposed arrangements so that ordinary members of our community have the opportunity to assess those proposals and form a view and make such representations as may be pertinent on what the future arrangements might involve?

HON J C PEREZ:

No, Mr Speaker. The position is that we are looking at proposals from interested parties and we will be making our own proposals ourselves to GBC and we will be consulting fully the staff, the management and the Board of GBC. If that results at all in a change in legislation or in a change in the public responsibilities of GBC, then that would necessarily need to come to the House where Hon Members opposite will have the chance to have their say on that particular aspect of it which is the public interest aspect but as far as I am concerned if I can put a package which is acceptable to the staff, is acceptable to management, acceptable to the Board and acceptable to the Government and does not alter the public responsibilities of GBC, then I do not see what it has to do with any other party.

HON P C MONTEGRIFFO:

Mr Speaker, is there not in a public service, which GBC effectively is because it is largely funded by public spending at present, although the Government as the elected Government has an ultimate decision on how such funds are used, is it not legitimate in this type of situation, Mr Speaker, that notwithstanding the fact we may be happy with the new arrangements and notwithstanding the fact that the staff, management and Board may be happy with the arrangements, that it is not unreasonable that with an institution like GBC which is so much a cornerstone of our identity as a community that there be a process whereby interested members of our community would have a chance to express a view before what would be a very definite and different route for GBC is concluded. Is that not a reasonable suggestion bearing in mind the peculiar nature of GBC's situation in our community?

HON J C PEREZ:

No, Mr Speaker, it is not a reasonable suggestion because any arrangement that I make which does not affect the public responsibilities of GBC has nothing to do with anybody else but the staff and management of GBC. If any proposals come up to the stage where the public interest of GBC is affected in any way then it has necessarily got to pass through legislation and therefore Hon Members will have a right to say whatever they feel they should. However, as long as the arrangements are de facto internal and do not affect that public service then there is nothing that any other third party should have a say at all. Unless it means that the Government has to give more money in which case it has to be voted by this House and Hon Members will then be able to have their say.

HON P C MONTEGRIFFO:

One final question, Mr Speaker, which arises out of the question by implication. In any proposals which the Government may make for the future of GBC come December this year, will it also make proposals of the general regulation of broadcasting? Or are the two matters deemed by the Minister to be separate and not connected?

HON J C PEREZ:

No, Mr Speaker. I have already told the Hon Member that if there is any legislation to be changed then it has to come to the House. Therefore, since the Hon Member has mentioned the conditions of broadcasting, that is a change in legislation and the Hon Member will have a say at the appropriate time. The Hon Member is very impatient!

HON K B ANTHONY:

Mr Speaker, can the Hon Minister confirm that the negotiations currently being held with GBC and interested parties, are these the same parties that were interested when the Hon Minister made his statement in June of this year?

HON J C PEREZ:

Mr Speaker, two of those parties are the ones that I mentioned in my television programme. There are more parties interested now.

HON K B ANTHONY:

Mr Speaker, one final question. I think that it is common knowledge that the big snag is the limited output of Channel 12 and more parties might well be interested and be prepared to invest money in GBC if they could have a greater output? Can the Hon Minister inform the House what progress has been made on increasing the output of Channel 12?

HON J C PEREZ:

Mr Speaker, there are different aspects that are being looked into which could lead us to attain our objectives without necessarily increasing Channel 12. Regardless of that position there are proposals being made were Channel 12 to remain at its present level. So I am saying that every effort is being made to increase Channel 12 and the last thing that has happened is that I had a meeting in the Foreign Office about ten days ago with a Foreign Office representative and a representative from the Department of Trade and Industry. The whole matter was discussed at that meeting in depth and several proposals were made by me which were very well received by both the FCO and the DTI. These proposals are to be put to the relevant authorities in Spain but the idea

is to achieve the objective that GBC has set itself, ie to reach the catchment area up the Coast without necessarily increasing Band 12. It could mean that we might use a different Band or we might use repeaters or another technical formula to be able to do that. These are things which are being looked at. But regardless of that position there are still proposals from interested parties were the power to remain at its present level.

HON K B ANTHONY:

I thank the Hon Minister for that answer. One final question, Mr Speaker. Is the Hon Minister himself optimistic of a result being reached by December this year?

HON J C PEREZ:

Mr Speaker, I am not optimistic that we shall arrive at a result. I am optimistic that I shall have my proposals ready by December. Then these proposals would need to be discussed subsequently with the parties that I have mentioned. However, my proposals will be ready by December which is my commitment.

MR SPEAKER:

Next question.

23.10.90

NO. 111 OF 1990

ORAL

The above question was withdrawn.

THE HON LT-COL E M BRITTO

Will Government explain the circumstances in which the current Construction Industry Training Scheme course was suddenly terminated on the 12th October, 1990?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Sir, on the 8th October, ie two weeks after commencement of the course, I was informed that the participants had stopped their training programme because they had a number of grievances which they said required attention and therefore had declared themselves on strike. A member of the Employment and Training Unit went to the Centre, at my request, and listened to their grievances and gave explanations.

On the 9th October, ie the next day, at 9 am the trainees through their spokesman informed me that they were not satisfied with the explanations and wished to see me. I accepted and asked them to come to see me at 9.15 am, to which they agreed. The delegation were then given permission to leave the Centre to attend this meeting.

Despite my cancelling other appointments and engagements, the delegation failed to attend this meeting. Instead the delegation proceeded to approach the media and other persons, including Members of the Opposition, to air their grievances.

On the 10th October a further request was made to see me. I once again accepted and agreed to meet them at 12.30 pm. A delegation composed of five trainees turned up instead at 2 pm. Once again having resorted to the media without informing me of their grievances.

The main grievances expressed at the meeting were that the level of remuneration was insufficient and that they were producing components which were subsequently being sold at a profit.

They also wanted pensions and gratuities. They wanted jobs in Government employment and additionally requested that the three week period from the termination of the course to the end of this year should be paid on the grounds that the Construction Industry ceased to operate during the Christmas festivities.

I explained to them that their concept of the training course was an erroneous one. They were not being trained in order to take up employment with the Government, and as such they were not entitled to the terms and conditions enjoyed by Government employees.

The reason the Government had initiated the course was to equip them with the necessary skills to be able to obtain employment as semi-skilled workers in the Construction Industry.

I explained Government's policy to them and pointed out that no change could be introduced to the conditions of the course which they had accepted voluntarily. However, I would seek Government's approval on the point raised regarding the 3 week period and would reply the next day.

On the 11th October two members of the delegation turned up stating that they were the official representatives. I conveyed to them Government's position, namely, that no fundamental change could be contemplated.

I re-affirmed that no trainee was receiving less income than prior to taking up the course. The trainees were not Government employees and could not be given pensions and gratuities as a result of being given an opportunity to attend a training course. The course was purely voluntary for those who wished to better themselves and therefore Government would not oppose anyone wishing to leave the course and return to the Department of Labour and Social Security, and seek employment through the normal established procedures. Those wishing to opt out of the course could, if they so wished, be considered for the next course in January should the circumstances change, by which time Government would have had an opportunity of looking into the structure of remuneration and carried out changes if this was found to be warranted.

Government, however, did accept that the Employment and Training Unit should pay the trainees the three weeks to the end of the year. The two representatives agreed to take the proposal back to the Centre.

I was then telephoned by two trainees who claimed to be the official representatives and requested a further meeting with me which I again acceded to. In the meantime the first two representatives called to say that they no longer wanted anything to do with the situation. At this meeting I once again reiterated the Government's position. I was unfortunately informed later that the trainees intended to continue with their action.

What was also evident throughout the week was that the majority of trainees wished to continue the course but felt obliged to hang on to see what the outcome would be and what was also very evident was that those who came to see me, with the exception of a few, were, in fact, the very ones who felt aggrieved.

It was decided that the course should be immediately terminated in order to be able to give an opportunity to those who wanted to complete it, to be able to do so by the end of the year. Had this not been done, the continued disruption of the course means that it would have to have been cancelled altogether because a necessary condition is that it had to be completed in full over the required period.



Let me state at this point, Mr Speaker, that I listened to public declarations made by Members opposite through the week-long dispute before coming to this House, as they should have done, to seek explanations which I have just given them. And, indeed, I found it regrettable and pitiful to see two Members of the Opposition acting in the manner that they were doing but what was stated by the Leader of the Opposition without checking his facts about the training being cheap labour and that components were being produced and sold at a profit, beats them all since that is a complete fabrication. Let me state that nothing being produced is subsequently sold at the Centre. What has been done is to reduce material wastage by undertaking certain work which is compatible with the type of task that the trainees are required to undertake in this course.

I would have thought that before making such a statement a simple checking up of the facts would have sufficed but, of course, that was not the intention, Mr Speaker, and that should not surprise anyone coming from the AACR. Colonel Britto has gone through his own training course in the AACR Dirty Tricks Department quite well. Also having listened to his recent political broadcast last week he has become a master of the AACR policy of distortion, twisting of facts and spreading rumours and I have to congratulate him for that. But, of course, it is all part of the same policy, Mr Speaker, that kept them in power for many years but it will not work in Opposition because the electorate will judge this Government on its own merits and achievements and not on AACR cheap political propaganda.

I therefore hope, Mr Speaker, that this major attempt by Government to make Gibraltarians better equipped to face life at work and enhance their job opportunities is generally accepted by everyone.

I have no doubt that the setting up of the Construction Industry Training Centre, its aims and objectives is widely supported by the community.

SUPPLEMENTARY TO QUESTION NO. 112 OF 1990

HON A J CANEPA:

Mr Speaker, have the two and a half years of power so blinded the Hon Minister to the work that he used to carry out as a Member of the Opposition and as a very militant trade unionist? Because the allegations that he makes against me, Mr Speaker, require explanation. Will he accept my version of events, merely that I was proceeding into town minding my own business on the morning in question, when I was stopped by two of the young men involved in the action.....

HON M A FEETHAM:

Which two young men are we talking about, Mr Speaker?

HON A J CANEPA:

Does the Hon Minister want their names?

HON M A FEETHAM:

No, Mr Speaker, their ages. Has the Hon Member any idea?

HON A J CANEPA:

Mr Speaker, I do not know how old they are.

MR SPEAKER:

Order, order.

HON A J CANEPA:

Mr Speaker, will the Hon Minister please listen to my version of events as they occurred because then he will have to give me credit for the fact that there was no premeditation on my part. I was, as I say, coming into town peacefully when I was stopped by the two young men who had been to GBC to make arrangements to be given exposure. I asked them what they wanted and they said that they wanted to talk to me. I told them that I would be in the House of Assembly at 11.am. They then made the arrangements that followed to have television cameras at the meeting. I took no action whatsoever on the matter. I did not arrange for GBC to be present. I did not arrange for interviews to be given. I did not take any steps in arranging the meeting. This is why, Mr Speaker, when I was asked: "Are you making political capital?", I said: "No". Because I would have been making political capital if I had gone looking for the people involved in order to try and make political capital. But, Mr Speaker, when people approach me, an elected Member of the House of Assembly, I have an obligation, a duty, to listen to them. The version that appeared in the interview, the statements that I made regarding the sale of these cement blocks was taken from reports in the media that morning and from statements made to the Hon Member on my left, Colonel Britto, and myself. Now, Mr Speaker, if the Hon Minister thinks that with the television cameras waiting here, first of all taking film of what was happening and then wanting to interview me, I should stop all this and say: "Wait a minute because what the newspapers say, what the radio has quoted this morning and what the men are telling me may not be true and I had better check with Michael Feetham to see whether the facts are correct before I go on television". Is that the way that the Hon Minister acted when he was in Opposition or when he was a militant trade unionist?

HON M A FEETHAM:

Mr Speaker, let me say that I behaved with more commonsense than the Hon Leader of the Opposition has acted on that particular interview. Because the facts are, Mr Speaker, that the Hon Member met two representatives here in the House who made certain representations, something which they are entitled to do because everyone is entitled to approach Members of the Opposition on matters which affect them. I recognise that, Mr Speaker. However, if they make representations which anyone listening would conclude that it was not possible for that to have happened, then the least that the Hon Member could have done, before saying on television that these men were being used as cheap labour because they were producing concrete blocks which were then being sold at a profit, because this, Mr Speaker, is not correct. It is an untruth. The Hon Member told them to come and see me which they did and they told me that the Hon Leader of the Opposition would be asking questions in the House concerning the matter. Now, Mr Speaker, when I listen to these kind of things coming from a Leader of the Opposition, then I must question his judgement in having said that. What I would have thought would have been more sensible was to have done what the Hon Leader of the GSD did. He asked for an appointment and went through the whole matter and if I am correct he agreed with everything that I told him and the explanations that I gave him.

HON A J CANEPA:

The Hon Leader of the GSD, Mr Speaker, had an appointment with the Hon Mr Feetham about a week after the event.

HON M A FEETHAM:

Fine.

HON A J CANEPA:

Mr Speaker, was I supposed to wait a week when things happen at the pace that they do? Should I seek an appointment with the Hon Minister before appearing on television?

HON M A FEETHAM:

Mr Speaker, I never made a single declaration throughout the week of the dispute because my concern was that I did not want to discredit the training course, I did not want to give the impression to potential employers, who I am trying to convince to take on trainees, that the problem was that serious. By the Hon Member adding fuel to the fire, Mr Speaker he may have prejudiced future employment for some of these people. That is what I did not want, Mr Speaker. That is why I did not lower myself to the level of arguments with trainees who were under a misconception. That, Mr Speaker,

is what the Hon Leader of the Opposition should have done. That was not the only problem, there was also the problem of the money that the trainees were receiving because no matter how often the press, that the Hon Members are so fond of quoting, said that no one was getting less money than when they were on the dole, the Hon Colonel Britto right up to the last moment when he could not find a way out of the problem and passed the problem on to Mr Nuza of the TGWU, still insisted that some of these people were getting less money than when on the dole. The fact is, Mr Speaker, that all trainees, let it be on public record, all the trainees that were undertaking that course were getting substantially more money on the course than on supplementary benefits. There were only two persons who were getting the same amount. These two, Mr Speaker, if my memory serves me well, are no longer doing the course. What we cannot do, Mr Speaker, as a Government, is accept the situation, in line with a question that has been put to my colleague and fellow Minister at the beginning of Question Time. Because, Mr Speaker, what we cannot have in Gibraltar is a level of remuneration for being on the dole which is as high as being in employment. The idea is to have people in jobs and not on the dole. The very people who were on this course, Mr Speaker, are people who for years Members opposite, when in Government, described as 'unemployables'. I cannot accept that anyone is unemployable provided that they take up the opportunities that we are providing. The people on this training course have never had the chance in their lifetime of undergoing a training course to equip them for a better job and a better standing in our society, including people who at the moment are on probation from Her Majesty's Prison. That is the policy that we are pursuing and that is the policy that Members opposite should be supporting.

HON A J CANEPA:

Mr Speaker, is it not a fact that no matter how hard I tried I would never be able to equal the Hon Mr Feetham's record when it comes to adding fuel to the fire because of his record as a militant trade unionist and as adviser to the Taxi Association. No matter how hard I tried, Mr Speaker, it would be like teaching a baby how to suck compared to his record.

HON M A FEETHAM:

Mr speaker, .....

HON A J CANEPA:

Let him not come here to this House, Mr Speaker, now that he is a Minister in the Government, pretending that he is the most respectable Member ever known in this House.

HON M A FEETHAM:

Mr Speaker, I do not accept that I have ever thought for one moment of being the most respectable Member in this House. Let me say, Mr Speaker, since the Hon Member has raised the matter, that I am proud of having been a leader of the TGWU since 1970. I am proud in having led the working class in consolidating their position in Gibraltar against an AACR right wing bureaucracy run by the Civil Servants, that today they want answers from, because the AACR never run Gibraltar, Gibraltar has been run in the past by the Governor, the Financial and Development Secretary and the Attorney-General and Members opposite, when in Government, were wishy-washing around all the time. That was what they used to do. I am proud, Mr Speaker, of my trade union record and I am proud of having participated in doing away with the discrimination which existed between Gibraltar and UK workers in the Dockyard, I am proud of having participated in the fight for parity and I am proud to be here today as an offspring of the struggle of the working class in Gibraltar to get representation in the House where before the representation came from a small clique of our society that today would still like to cling to the power and trappings that we ourselves have rejected. If having done all of that classifies me of having been a militant and means that I continue to be classified a militant for the rest of my life, I am proud to have been that militant.

HON A J CANEPA:

Mr Speaker, a working class which the Hon Member and his colleagues are now running roughshod over with arrogance and with dictatorship.

HON M A FEETHAM:

Mr Speaker, I am not letting him get away with that. Because, Mr Speaker, we have all come from the Trade Union Movement and we have been in office just over two years with a lot of experience, collectively, in life. Sometimes, Mr Speaker, under very difficult situations and I would have thought that the House would be able to recognise that in the two years and a bit that we have been in office, with trade union backgrounds, the fact that we have done Land Reclamation, Europort, Westside I and Westside II, the Building Components Factory.....

HON A J CANEPA:

500 houses, Mr Speaker!

HON M A FEETHAM:

Just a minute I have not given way!

MR SPEAKER:

Order, order. This is now generating into a debate and it must stop. I think that the matter has been ventilated long enough and I would like to allow the Hon Member who put the question to pursue his point but this debate on the AACR and the present Government and their achievements must stop. We must all come down to earth and carry on with questions.

HON LT-COL E M BRITTO:

Mr Speaker, before I proceed with supplementaries, with your leave I would like to clarify one point that the Hon Mr Feetham said and that was that I had said publicly that the trainees were getting less on the course than when they were on supplementary benefits. Is that what the Hon Member said?

HON M A FEETHAM:

That is correct, Mr Speaker.

HON LT-COL E M BRITTO:

Mr Speaker, what I said was that the level of remuneration was not adequate and that the men had a basic grievance and that it was a justified grievance and that the Government should look again at the level of remuneration. At no stage, Mr Speaker, did I say that they were getting less by being on the course than outside.

Mr Speaker, will the Hon Minister accept that in the very long and detailed explanation that he gave and which sounded extremely reasonable and made him sound the paragon of virtue in the way that he had conducted the negotiations, that in reality it did occur in the way that he would like to see it whitewashed. To start with, Mr speaker, will the Hon Minister accept that although technically the men were volunteers on this course in actual fact there was a certain amount, dare I say, of moral blackmail in getting them to join the course when they went to collect their supplementary benefits the week or two before the course, I am not sure of the exact date, and they were told that they would not be getting benefits? They were given, I understand, a letter to take to the Training Unit and the implication was that they had to accept the course otherwise their supplementary benefits would be in danger. Will the Hon Minister accept that the element of volunteering is highly suspect?

HON M A FEETHAM:

Mr Speaker, we have no evidence to demonstrate that that is a fact. But, surely, the proof of the pudding is in the eating and they are all on the course now under the same conditions.

HON LT-COL E M BRITTO:

Voluntarily?

HON M A FEETHAM:

Voluntarily, as they were the first time. So where is the problem? The answer is there for all to see. Mr Speaker, both the Hon Colonel Britto and the Hon Mr Montegriffo were outside the Parish Hall when people were signing on. Were they being bullied into signing? Were the men not aware under the conditions that they were signing?

HON LT-COL E M BRITTO:

Mr Speaker, will the Hon Minister accept that, in fact, the answer to that question is yes, a qualified yes, but yes? We are talking about men who this morning were called "unemployables".

HON CHIEF MINISTER:

Not by us, Mr Speaker.

HON LT-COL E M BRITTO:

They were, Mr Speaker.

HON M A FEETHAM:

No, Mr Speaker, what I said was that Members opposite had described them for years as "unemployables" and we are trying to give them an opportunity.

HON LT-COL E M BRITTO:

Mr Speaker, we are talking about men who find it difficult to get employment. Most were on supplementary benefits and benefitting, as the Hon Minister rightly said, by taking the course and having a higher remuneration for the length of the course. None of these men really want to stop the course, Mr Speaker, will the Hon Minister accept this? Not only because of the training but because of the fact that they were getting more money. That, however, does not alter the fact that the Government has taken advantage of the situation by giving them an inadequate level of remuneration. Will the Hon Minister accept that to put them on a level of remuneration that is on par with the Cadet Training Scheme, defined for youngsters, and below the level of remuneration of apprentices, is inadequate? Also, is it the intention of the Government to change the level of remuneration for any following courses?

HON M A FEETHAM:

No, Mr Speaker, the answer is no. Let me remind the Hon Member opposite that the existing Construction Industry Training Centre is an extension of what was previously set up by the AACR. In case the Hon Member does not know, the level of pay in the AACR Construction Industry Training Centre course, Mr Speaker, was £15 per week. Does the Hon Member know that? £15 as opposed to £77.16 which they are getting now. Does the Hon Member know that?

HON LT-COL E M BRITTO:

Will the Hon Minister accept that the point that he has highlighted is the fundamental problem with the concept of this course? The figures that the Hon Minister quoted about previous courses under the AACR are irrelevant. The problem is that if this course had been geared for young men who had just left school the level of pay would not have been inadequate but the concept of mixing youngsters with people over the age of 40, with families, is where it has gone fundamentally wrong. Will Members opposite accept that the concept is wrong and that it needs revising for the next course?

HON M A FEETHAM:

Mr Speaker, the course is purely voluntary. There are people who have been on supplementary benefits for a number of years, some since 1977. Quite frankly, Mr Speaker, we are not in the business of making it easier for people to be on the dole. We are in the business of making it easier for people to get jobs. That is what we are in the business of. Every one of them have gone on the course voluntarily. What I am not prepared to do, and I do not hide behind Ministerial responsibility, and I am sure the Government will agree with me, is to actually bring up the level of wages so that in some cases I am subsidising moonlighting. I will not do that. The level of pay has been struck at what we consider, in our judgement, to be at the right level. It cannot be anymore than that. However, I said during my statement that we had suggested to some of those who felt aggrieved that they should wait until a subsequent course in January which would have given us more time to look at the wider implications. Because when one starts to talk about increasing substantially the level of pay for training there are wide implications throughout other sectors of the economy. As, indeed, we could have in the areas which Colonel Britto must be acquainted with, for example, the age related pay for shop assistants. Will we see the Hon Member walking up and down Main Street waving the flag for shop assistants when he employs them in due course if we were to create a disparity in that area?



MR SPEAKER:

We shall have one more supplementary and then proceed to the next question.

HON P C MONTEGRIFFO:

Mr Speaker, I think that one of the things that the trainees did want, and which for my part I accepted the Hon Minister's explanation, was the concept of guaranteed employment. What I would like the Hon Minister to say is to publicly confirm today that whilst not guaranteeing employment, that the Government reiterates in the new conditions attached to the letter of appointment that the trainees have signed, that the Government is going to use its best endeavours to place these trainees, once they have acquired their skills, in those openings in the construction trade that arise. I think that their fears, which are legitimate, is that we have a construction trade largely dominated by outsiders, as far as skills and employment are concerned, and it would be an element of comfort to the trainees and to others who will, hopefully, be induced into acquiring skills, that the Government is serious about placing these people in the openings that occur in the construction industry.

HON M A FEETHAM:

Mr Speaker, in fact, on the very first day that I was, at long last, able to meet a delegation of trainees, I explained to them thoroughly over a three-hour meeting, our development programme and what we are trying to do to get them all in employment by the time the course is over. I also told them that they were not doing themselves any good by taking the sort of action they were taking in relation to potential employers. So although there is no guarantee of employment there is the political will to achieve the same objective at the end of the course. Therefore, the fact that we conceded the three weeks because the course finished just before Christmas and the construction trade closed until early January, we will continue to pay them throughout these three weeks so that by the time the construction trade resumes in early January they will be able, as many as possible and hopefully all of them that qualify, will be able to obtain a job. I am very hopeful that that will be so.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Will Government say whether it intends to publish a City Plan during this term of office?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Yes, Sir.

SUPPLEMENTARY TO QUESTION NO. 113 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, could we have an indication as to when? Because we have had "Yes, Sir" before.

HON M A FEETHAM:

Yes, during this term of office, Mr Speaker.

HON LT-COL E M BRITTO:

Mr Speaker, when during this term of office?

HON M A FEETHAM:

At any time until the Hon the Chief Minister decides to call the next election.

HON LT-COL E M BRITTO:

Mr Speaker, if the Hon Minister does not wish to answer let him say so. But the question is when during this term of office does he intend to publish the City Plan? But please let him stop beating about the bush.

HON M A FEETHAM:

Mr Speaker, I have actually said some time before the end of this term of office. To be more precise, I am unable at the present time to say exactly when.

HON LT-COL E M BRITTO:

Mr Speaker, considering that sometime back he told us that he was going to publish it last February, may we have the reason why it has not been published yet?

HON M A FEETHAM:

Only to the extent, Mr Speaker, that a number of things have happened since then, in terms of Government possibilities in terms of investment and I would rather publish our interpretation of a City Plan when we have completed a number of things that we are about to do. At that time we will provide the people of Gibraltar with a more comprehensive City Plan that puts the position into perspective, say, for the next ten years.

MR SPEAKER:

Next question.

THE HON P C MONTEGRIFFO

What are the details of the proposed "Urban Renewal" programme announced several months ago by the Minister for Trade and Industry?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, I did not announce an Urban Renewal programme several months ago.

In introducing planning zones for Gibraltar, I did say that the approach concerning the zone taking in the old Town would be based on a policy of Urban Renewal of existing buildings as against, for example, the construction of new buildings.

SUPPLEMENTARY TO QUESTION NO. 114 OF 1990

HON P C MONTEGRIFFO:

Does that mean, Mr Speaker, that there is no specific programme earmarked by the Government for implementation at some future stage, specifically for the rejuvenation, if the Hon Minister likes, of the old City of Gibraltar?

HON M A FEETHAM:

Mr Speaker, it is natural in the context of having established development zones in Gibraltar, that the zone that includes the old City, which we hold great attraction, should come under close scrutiny in the overall City Plan that we will produce in the future. Before we are able to move into a position of a concret Urban Renewal programme as such, in its widest term, one has to establish a data base and establish a system of infrastructural details that are required before you can actually converge. That is the point that we are at the moment, Mr Speaker, in relation to the old City of Gibraltar.

HON P C MONTEGRIFFO:

I am grateful for that answer but does the Hon Minister not accept, Mr Speaker, that the state of the old City of Gibraltar is such that in the absence of some investment, be it public or private, and in the absence of some legislative changes in the way that large parts of the old City are regulated, that there is a real danger that in the course of the next decade parts of it will simply collapse? Does the Hon Minister not accept that there are

some residential and commercial properties in such a dire state of disrepair that there is an urgent need to specifically itemise some programme of renewal in the lines of what I thought, erroneously, the Minister was contemplating?

HON M A FEETHAM:

Mr Speaker, there is no erroneous situation. It is a question first of all, of establishing the database for what exists in the old City. Deciding which way we wish to enhance the criteria and the planning possibilities for the old City and one positive thing which we have done is, in fact, remove the pressure from the old City, which existed before. Because Hon Members know that before the reclamation, buildings in the old City were indiscriminately demolished to allow for office blocks that could have been built elsewhere. With the reclamation, Mr Speaker, there is one important element in not continuing with the previous policy because we can be a little bit more relaxed but not entirely relaxed if what is needed in order to enhance the old City of Gibraltar. It is a matter of priorities being put into their proper perspective. We will not embark on an ad hoc policy. So it is a matter of looking at it in a very comprehensive and very detailed manner and the points raised by the Member opposite are, in fact, the very points that I am actually looking at and contemplating because it is something that is there for all to see. How we go about it is a matter of judgement on the part of the Government when it has established its overall development policy.

HON P C MONTEGRIFFO:

Mr Speaker, may I ask one final question. In the process of renewal, for want of a better phrase, Urban Renewal Programme. Does the Government envisage any changes to the Landlord and Tenant Ordinance giving part of that review bearing in mind: (a) that part of the crisis facing the old City is conditioned by the present terms of tenancies established by that law, and (b) bearing in mind that, I understand from the GSLP manifesto, that a review of the Landlord and Tenant Ordinance is a matter to which consideration will be given in its first term of office. So, Mr Speaker, are these two matters linked in the Minister's mind?

HON M A FEETHAM:

Mr Speaker, there is no doubt that there is a certain amount of incompatibility between the existing situation and the need to move away from a stagnated position. This is historical and therefore the way that we are moving forward is to take away the pressure from the old City and move to the new City and by doing that try to create an atmosphere in the old City through the participation of private sector investment and trying to formulate a policy involving both

Government and private landlords for the better of the community. However, until we look in depth at the criteria and, most importantly, the database, we will not know what the implications are. This was what we are doing at the present time but until all these factors are completed, which is not an easy one, but generally speaking, we are looking at this in a positive way.

HON P C MONTEGRIFFO:

I am grateful for that answer, Mr Speaker. I however think that unless the old City, or at least parts of it, are actually addressed either through decanting or partial decanting or through greater market forces in certain areas, then parts of the old City will crumble. History will then provide a solution which perhaps will otherwise fox us. There is, I think, that danger.

HON M A FEETHAM:

Mr Speaker, it is precisely why those are some of the points that are being considered that the Government is taking the action that it is taking. In fact, it is since we came into office that the question of urban renewal and protection of the old City is being talked about. The same applies to the question of design and planning criteria for the old City is being addressed because before this did not exist. These matters are being looked at in order to protect and develop the old City so that people can live there without being driven away. All this will be seen by the community as the right way of approaching the problem.

MR SPEAKER:

Next question.

THE HON P C MONTEGRIFFO

What are Government's present plans for future reclamation on the East side?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, the position remains unchanged to that stated to the Leader of the Opposition in answer to Question No.70 of 1990.

SUPPLEMENTARY TO QUESTION NO. 115 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, without recalling exactly what the answer was, I imagine that it was a fairly non-committal answer suggesting that the Government was looking at the matter. Could I therefore, Mr Speaker, pursue the question by asking whether it would be Government's intention to commercially participate in any exploitation of the East side on terms similar to that in the West side?

HON M A FEETHAM:

Mr Speaker, if the Hon Member recalls what I said in answer to Question No. 70 of 1990: "We have reached the point where we are looking at the financial appraisal. The question of the engineering and technical ability to do the job had already been concluded". Mr Speaker, until we have finalised the appraisal and obtained independent advice from independent consultants on that position, the Government will not decide whether it will participate or not participate or whether it will be wholly private sector. When we are ready to make the announcement the full story will be made known.

HON P C MONTEGRIFFO:

Mr Speaker, is the Government in a position today to express a view on what assessment it can make of the demand for accommodation for offices and commercial property that the proposed development on the East side would provide? If it is not in a position to do so today, when will it be ready to do so bearing in mind that the decision will presumably have to be taken on its participation in the relatively near future?

HON M A FEETHAM:

I think, Mr Speaker, that there are two issues here. First of all, it is a matter of Government policy to create a land bank. That is in our manifesto and we believe in the investment of the creation of land. It does not necessarily follow that by the creation of land that we may wish to develop it immediately. Obviously if we believe that we should go down that road with that course of action and the investment is there we will take advantage of it. As far as the East side, which is to what the Hon Member is referring to, we envisage that the East side will form part of our stated policy of recreation of the leisure coast of Gibraltar and at the same time enhance the capabilities of our beaches in the process. What will go on it will be fairly in line with that policy and will obviously include a residential aspect. Because as the Hon Member knows the residential aspect related to leisure is a matter of fact in any type of infrastructural leisure orientated development. That is the position, Mr Speaker.

HON P C MONTEGRIFFO:

Surely, Mr Speaker, the Government cannot be prepared to borrow further funds to create a further addition to our land bank in the context of there being an unclear demand for, for example, residential property. Would it not be somewhat lacking prudence to invest in a land bank unless the Government's assessment of the demand for the buildings which will go on it has been clearly made before?

HON M A FEETHAM:

No, Mr Speaker, in the judgement of the Government investment in land is an investment worth taking. It is creating an asset for the people of Gibraltar to utilise either now or in the future. We do not think that it is a political risk. We did not think so on the first reclamation that we carried out, which has been a success and the results are clear for us to see. We are in desperate need for more land in Gibraltar. We do not believe that the growth of Gibraltar has by any means reached the level that we would expect in the foreseeable future and since the projections that we are putting into place are projections aimed for the next ten years. Because I have already informed Hon Members that any development plans that come out are based on a ten year projection. Mr Speaker, it would be erroneous to compare it with what the Hon Member's assumptions may be about the market position at the moment.

HON P C MONTEGRIFFO:

Mr Speaker, I am asking for the Hon Minister's assessment, not my assumptions.



HON M A FEETHAM:

My assessment, Mr Speaker, is that if the financial appraisal fits in with what we expect it to be, the East side reclamation will go ahead.

HON P C MONTEGRIFFO:

Mr Speaker, finally, is the Hon Minister now in a position to inform this House of the environmental impact which the reclamation of the East side of the Rock could have? Is the Government taking account of the environmental aspects of such a development?

HON M A FEETHAM:

Mr Speaker, the environmental issues as part of the Study have been taken into account and, in fact, it is our judgement that it will enhance the environmental situation in the area. Also, Mr Speaker, the Ornithological and Natural History Society welcome reclamation because it increases the possibility of sea life. Mr Speaker, from all aspects the plans as laid out show that it will improve the environment of the area. At the moment nothing could be worse than the way the area just past the incinerator and travelling towards Sandy Bay looks and what the area with the reclamation could look like.

HON P C MONTEGRIFFO:

Mr Speaker, with your leave I would like to put one more short question. Would it be the Government's intention to publish the City Plan before a final decision is taken on the East side reclamation? Because the reclamation of the East side would make such an addition to the physical shape of Gibraltar that surely it would be appropriate to include it in the City Plan bearing in mind that the plan is going to have a life of five to ten years?

HON M A FEETHAM:

Mr Speaker, I think that I have answered this question before. If the Government, in its judgement, considers that the East side reclamation is a viable proposition we intend to go ahead with it. Mr Speaker, it has been on the cards, in one shape or another, for the last twenty years and as far as we are concerned if the economic decision is made we will proceed. Once people see the plans everybody will welcome it because it will be a first class addition to Gibraltar's requirements. It will not deprive anybody of anything in fact it will strengthen the position of our beaches and of Catalan Bay. For instance, the damage that was caused by this year's

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storm to the whole of the East side, from Eastern Beach to Sandy Bay, including the damage to the road from Devil's Tower to Catalan Bay, would not happen with the reclamation. Because just the very minor reclamation which is currently taking place to reinforce this vulnerable road has already proved to be very beneficial.

MR SPEAKER:

Next question.

THE HON P C MONTEGRIFFO

Will Government confirm whether it intends to authorise the construction of a road in the Upper Rock area with the possible addition of buildings adjoining the proposed route?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, this matter is under consideration. A final decision has not yet been made.

SUPPLEMENTARY TO QUESTION NO. 116 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, is the Minister in a position to indicate the proposed route of this road? The precise starting and finishing points?

HON M A FEETHAM:

Mr Speaker, the new road, if it were to go ahead, because no final decision has been taken yet, will commence in the area of the Waterworks coming down from Moorish Castle and will terminate in the area of the Casino. The purpose will therefore be that all traffic moving down or around the Upper Willis's Road/Moorish Castle will have an access road out from that area without entering the town area. Mr Speaker, if we are successful in concluding this project it will be a major addition to our road infrastructure.

HON P C MONTEGRIFFO:

Mr Speaker, what about the buildings that would adjoin the road? Because the project is being, I imagine, financed by private investment and as a quid pro quo for this the development supporting this project is going to be for them?

HON M A FEETHAM:

That, Mr Speaker, is one of a number of possibilities. But as I have said, a final decision has not yet been taken. What the Hon Member must realise is that this Government is perhaps the only Government that is not eligible for large aid from UK to provide infrastructure for its own requirement. Therefore whatever we do to improve our infrastructure has to be done by increasing our own growth and increasing our own income through one method or another. Therefore, Mr Speaker, as a matter of information, the method that has been described by the Member opposite is one of a number of possibilities but the final decision has not been made as to how that road will be financed.

HON P C MONTEGRIFFO:

Mr Speaker, on the matter of the environmental side of this project, is it not the case that a route, as the one proposed would pose serious environmental concerns which could not be addressed other than by paying the price for the infrastructure that we are putting in. In other words, that if there is to be a road and if there are to be buildings of some sort along that route, that there is an environmental price? If that is so, what is the Government's view of this?

HON M A FEETHAM:

Please, Mr Speaker, for members of the community that are constantly coming down Willis's Road and Moorish Castle Road down into the St Bernard's Hospital area, then for years the environmental and traffic problems arising from not finding an alternative solution is far more damaging than finding an alternative to decongest that problem must surely be better even if there is a slight environmental problem created, which in any case I am not sure what that means. The thing would be to compare it before and after. However, if the Hon Member could be more explicit about the environmental issues of a new road then I might be able to provide more information.

HON P C MONTEGRIFFO:

Mr Speaker, it is difficult to be explicit about what trees, etc are going to be knocked down when the route has only now been indicated. The point that I am making is that from the knowledge of environment as is now being fed to us much more vigorously than before, it would seem to be the case, Mr Speaker, and this is the question that I put to the Minister, that touching the Upper Rock area in any way has to give rise to an environmental price because of the richness of the area anyway. I am not saying that we cannot touch the area at all because otherwise we may as well give up doing anything. What I am saying is that in putting that road up, has the environmental impact been considered by the Minister and is he in a position to make an assessment of it for the benefit of Members of this House? Of course, it is a question of balancing the benefits and disadvantages but has the Minister consulted the different environmental pressure groups on this matter?

HON M A FEETHAM:

The answer to that is yes, Mr Speaker. We have, as a matter of course, consulted the people concerned and, as I have said before, there are a number of alternatives. One of the alternatives, in fact, at my personal intervention, insisted that the density of development on the route should

be reduced considerably so that, in fact, the road, all that it is going to be doing is going through hard rock and rubble and the degree that it moves in a northerly direction is completely restricted to a sensible economically viable situation. Therefore, as I understand it today, the members of the pressure groups mentioned by the Hon Member are entirely satisfied that within what we are doing we have done everything possible to respect their wishes. In fact, Mr Speaker, there are a number of trees in the way which are going to be replanted. That was the only thorny problem that needed solving in the restricted scheme.

MR SPEAKER:

Next question.

THE HON K B ANTHONY

Will Government explain why the Queensway Quay Development has been at a standstill for so long, and when is work likely to start?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, I have from time to time given details to the House concerning the Queensway Quay Development, and particularly to the delays. I do not intend to repeat what has been the previous position. However, on the positive side I can state that the contractor has now been appointed by the developers and are due to mobilise on the site on the 1st November, 1990.

SUPPLEMENTARY TO QUESTION NO. 117 OF 1990

HON K B ANTHONY:

Mr Speaker, I thank the Hon Minister for that answer but my concern arises because at the moment we are going through a period when Queensway is undergoing major disruptions and at the rate of work at the moment I anticipate that it will be six to nine months before they are down opposite the Queensway Quay Development and I would hesitate to see a repetition of having laid the sewage etc, have another lot of constructors dig the road up again. Has any effort been made, Mr Speaker, to synchronize so that any disruption is kept to a minimum?

HON M A FEETHAM:

Mr Speaker, all the infrastructural works taking place now, a major investment programme, is actually being put into place on the following basis: (a) to provide the infrastructure necessary for all the development taking place at the reclamation, at Waterport, at Smith Dorrien Road and at Queensway; and (b) to improve and upgrade the infrastructure which has been untouched for years and needs updating to meet the demands from an open frontier and the future. Therefore, everything is planned on that basis and there will not be any need for the Queensway Development to open up the road because the infrastructure taking place now will take it up to the site. The Queensway constructor will only be responsible for the infrastructure within the site.

MR SPEAKER:

Next question.

THE HON K B ANTHONY

Will Government state what are their long-term plans for the future development of Naval Ground No. 2?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, at present Government has no plans for the development of Naval Ground No. 2.

SUPPLEMENTARY TO QUESTION NO. 118 OF 1990

HON K B ANTHONY:

Mr Speaker, although the Hon Minister has said that there are no plans at the moment, may I ask if it is intended to develop it other than leaving it as a car park?

HON M A FEETHAM:

Mr Speaker, the answer is not for the moment. We have not made any such considerations for the moment.

HON A J CANEPA:

Mr Speaker, in the Draft City Plan presently being drawn up will there be some indication included of what is proposed for Naval Ground No. 2 in the future?

HON M A FEETHAM:

Mr Speaker, if we have decided by then what we will do, yes, of course, there will. What would then be shown is what it presently is and for what it could possibly be for the future.

MR SPEAKER:

Next question.

NO. 119 OF 1990

ORAL

THE HON K B ANTHONY

Will Government inform this House what it intends to do with Cumberland Buildings?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, when the site was handed over to Government recently a survey was carried out and it was found that the existing life possibilities of the present structure based on refurbishment was not economically viable but indeed prohibitive.

The Government has therefore decided to demolish the buildings.

SUPPLEMENTARY TO QUESTION NO. 119 OF 1990

HON K B ANTHONY:

Mr Speaker, perhaps it would be a little bit premature to ask what plans the Government has once it is demolished? However, since it is presently a residential area does the Government intend to build further residential places at the site?

HON M A FEETHAM:

Mr Speaker, we have decided to demolish the present buildings but to be quite frank with Members we have not decided what will go there, if anything at this point in time.

HON A J CANEPA:

Mr Speaker, is the Hon Minister saying that the state of the building is such that it cannot be put to a short to medium term use for, say, four or five years?

HON M A FEETHAM:

Mr Speaker, the costs would be prohibitive. If I could just inform the House of the number of hours that my colleague the Minister for Housing has spent arguing and trying to find a solution to use it, even on a decanting purpose, to alleviate people for the next four or five years it would seem incredible and we would not be able to quantify the effort he has put. However, it is not possible because it would not be safe and the last thing that we want is to convert it into a Youth Centre and have a possible accident.



HON A J CANEPA:

Will the Hon Minister then, Mr Speaker, agree with me for the benefit perhaps of numerous people in Gibraltar who think and imagine that once the MOD has handed over property to the Gibraltar Government it is the fault of the Gibraltar Government that nothing useful is done with these buildings. Will the Hon Minister agree that 90% or 95% of the time when we get property handed it is in such an awful state that very little can be done with it?

HON M A FEETHAM:

Mr Speaker, I have to agree entirely with the Hon Leader of the Opposition and let us be quite clear that we could be landing ourselves with a huge maintenance bill as a result of the MOD withdrawal because we will be getting other places which are best knocked down than retaining and maintaining. Therefore, Mr Speaker, nothing surprises me.

HON A J CANEPA:

Will the Hon Minister find it of interest if I tell him, and I have witnesses to the fact, that I quarrelled with a Member of Parliament in Malta whom I see on the television screens now and again intervening, Mr John Marshall, because he insisted that the Government of Gibraltar should pay the MOD handsomely for buildings like Cumberland because we can put them for housing purposes.

MR SPEAKER:

Next question.

THE HON G MASCARENHAS

Will Government state whether they have taken decisions on the future use of South Barracks and Buena Vista Barracks?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, no final decision has been taken on these two sites.

SUPPLEMENTARY TO QUESTION NO. 120 OF 1990

HON G MASCARENHAS:

Mr Speaker, as a result of the last question, will the Hon Minister state what is the state of these buildings?

HON M A FEETHAM:

Mr Speaker, in the case of South Barracks a survey is being carried out to establish exactly the state of the building and to what extent the building could be refurbished for one purpose or another. Until we are in possession of that independent survey we will not be able to decide what to do with it.

HON A J CANEPA:

Mr Speaker, without committing himself, can the Hon Member say what the Government may want to do with it? At least some indication of Government's thinking on the matter.

HON M A FEETHAM:

Mr Speaker, there are clear indications of certain requirements in the area of education and of re-housing certain groups of public servants, ie the Police and other sectors. So the ultimate use of these buildings which are ideal, if things come together right, for those areas.

HON G MASCARENHAS:

Mr Speaker, what about the state of Buena Vista Barracks?

HON M A FEETHAM:

Mr Speaker, the position is that as yet we have not really had a chance to look at it.

THE HON P C MONTEGRIFFO

What information does the Government now have in relation to release of land which the MOD will be making following the departure of the Resident Battalion?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the information is the same as has been stated previously and the position is that discussions as to details are still taking place regarding the properties to be released once the Battalion departs after April, 1991.

SUPPLEMENTARY TO QUESTION NO. 121 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, is the Chief Minister in a position to indicate whether the proposed release will have an impact on the Government's programme as far as land reclamation is concerned, bearing in mind the question of land which may or may not be involved?

HON CHIEF MINISTER:

Mr Speaker, the position is that the Government's reclamation programme is independent of any land that will become available from the MOD. The MOD land consists of land on which there are buildings, we are not talking about land without buildings on it and consequently the land reclamation programme is on the basis that we will be able to develop reclaimed land because of the technical way in which the land is reclaimed. There will therefore be no need to wait for a period of settlement because as soon as it is reclaimed it is available for development. Whereas, as we have seen in the case of Cumberland Buildings, one of the properties listed down as forty residential dwellings whilst, in fact, we shall have to spend a considerable amount of money knocking it down in order to finish with an empty space of land.

HON P C MONTEGRIFFO:

Mr Speaker, is there, in fact, any sort of timescale which can pinpoint when a detailed list is available of what is to be released?

HON CHIEF MINISTER:

There are tentative dates attached to the availability of the property beginning in March and April of next year. But the dates are tentative and to some extent we have not wanted to come up with a total figure of what was available. Perhaps if I give the Hon Member an example he will understand the point that I am making. On the 16th August we were told that there would be available to the Government, between now and next April, a total of 77 Married Quarters. 40 of those 77 Married Quarters are Cumberland Buildings and which are no longer available so we feel hesitant to come out because people might think that their prospects in being re-housed are better because of the 77 extra flats. It might even reflect on people's decision of buying property because of these extra flats and then find out, in six months time, that of the 77 maybe only 7 are capable of being restored and made habitable. Therefore, until we have the property in our possession and we have made an assessment of the cost of making these places habitable, we will not know. Some of these properties that we have looked at, which are already vacant, are properties that have been empty for many, many years. It is not that they have become vacant now and are being handed to us because they have just been vacated. We expect that the properties that are due to become available after April should be in a better state because they have been in use and we will get them immediately after they stop using them. However, in the 77 Quarters that were due to become available between now and April, it is a question of the paperwork not having been finalised and the Gibraltar Government not obtaining access until the paperwork has been finalised. All these are properties that have been deteriorating through disuse, like Cumberland Buildings have been, and in some of these very old buildings, frankly unless we can find somebody prepared to spend money in restoring them, because, quite frankly, it is uneconomical for the Government to spend an astronomical amount of money in restoring these buildings and then find that the rent that can be charged does not make it a worthwhile operation. In some cases it would be cheaper to build new houses somewhere else than to restore an old pre-war MOD property. We are reluctant to demolish properties that can be restored but it may not be economically viable to restore them given the realistic rent that can be charged for the property once it is restored.

HON P C MONTEGRIFFO:

Mr Speaker, I am grateful for that explanation and although I take the Hon the Chief Minister's point that expectations should not be raised, it must surely be the case that if between August and April next year, if I have understood the Hon Chief Minister correctly, there was an indication that there were 77 dwellings to be released, although the vast majority turn out to be unusable, is it also to be expected that in the future with more substantial release of land there will be the possibility of housing for allocation?

HON CHIEF MINISTER:

We are confident, Mr Speaker, that in the property that will be available after April there will be property that will fall into the category that has been described by the Hon Member opposite. However, we do not know how much will be available until we see the state that they are in. I can tell the Hon Member that in the 77 that we are talking about now, one is the Steward's Quarter in New Mole House which is shown as a separate residential dwelling from the 40 at Cumberland Buildings. Well, even if that one, in itself, is alright if you demolish New Mole House and Cumberland Buildings then you cannot leave the Steward's Quarter standing alone in that area. That is the problem.

MR SPEAKER:

Next question.

23.10.90

NO. 122 OF 1990

ORAL

THE HON P C MONTEGRIFFO

Will government confirm that no flats in the Westside Development forming part of a block in which there are owner/occupiers will be rented out by or on behalf of the Government for persons eligible to be on the housing list?

ANSWER

THE HON THE MINISTER FOR HOUSING

Yes, Sir.

NO. 123 OF 1990

ORAL

THE HON K B ANTHONY

Will Government state where they intend to build the 500 houses for rental that they promised in their election manifesto during the remaining eighteen months of their term of office?

ANSWERTHE HON THE MINISTER FOR HOUSING

Mr Speaker, the position is the same as explained in answer to Question No. 198 of 1989 which I will repeat:

As the Hon Member will note if he looks at the Estimates of Expenditure, the Government has budgetted a sum of £18m for the construction of the 500 housing units in question. The position is, of course, that this programme has already commenced because he will see that money was spent last year and in the current financial year.

Details of the units being built at various Estates have been provided by me both at Question Time and at Budget Time.

The Government has made it clear that the exact composition of the units and the number required would be kept under review in the light of the increased output of Home Ownership Units in Westside II which did not exist at the time the original assessment was made.

It has already been stated publicly and in this House, that the Government has, in fact, an option to purchase units in that project should this be the most cost effective way of producing some of the houses planned.

The Government is not in a position to advance beyond the information that has been provided on this and any previous occasion.

SUPPLEMENTARY TO QUESTION NO. 123 OF 1990

HON K B ANTHONY:

Mr Speaker, did the Hon Minister say in Westside II?

HON J L BALDACHINO:

Yes, Sir.

HON K B ANTHONY:

Mr Speaker, in the previous question the Hon Minister confirmed that no flats in the Westside Development would be rented out.

HON P C MONTEGRIFFO:

Mr Speaker, presumably the Government would subsidise such flats either by soft loans or such other schemes that the Government may devise?

HON J L BALDACHINO:

Mr Speaker, as I answered in answer to Question No. 122, that is the case and as the Hon Member has just said it could be by such means or perhaps some other method.

HON A J CANEPA:

Mr Speaker, is the Hon Minister for Housing saying that he considers that the Government will have fulfilled its electoral commitment to build 500 houses for renting to people on the Housing Waiting List as a result of taking up an option to purchase 500 units at Westside II?

HON J L BALDACHINO:

Mr Speaker, I have not said that we are going to purchase 500 units. What I have said is that we have already commenced building houses for renting in other areas like Glacis, St Jago's, etc and we have now started to resite the Varyl Begg Social Club and another block will be built at the vacant site. We have also commenced preliminary works at the Lake Chad area where an extra storey will be added. Once that has been done we will review how sales are going at Westside I, Brympton and Westside II and take a decision on whether we take up the option that we have in Westside II. That, Mr Speaker, is the position which shows that the Government is going to spend its money on 500 houses.

HON A J CANEPA:

The Hon Minister is accepting that the Government itself will not have been the direct course of 500 units being built?

HON J L BALDACHINO:

Mr Speaker, it is not a question of who builds the 500 units, it is a question of having available 500 units and therefore if we have the probability of buying rather than building and it is cheaper for the Government then I think that is logical. The end result is that there are 500 more units for allocating and we are fulfilling our obligations.



HON A J CANEPA:

Mr Speaker, if all the units at Westside II were to be sold other than to the Government, how many houses would the Government have then built?

HON J L BALDACHINO:

Mr Speaker, I think that the Hon Leader of the Opposition should wait until our term of office is completed. However, why should the Hon Member try to hold us to our commitment to build 500 houses when the economy no longer requires 500 houses and make us waste money in building houses which are going to remain empty. It does not make sense economically.

HON A J CANEPA:

Mr Speaker, I am just recalling that the Hon Minister for Housing, whose honesty I do not doubt for one moment, appeared on television at the time of the General Election and said: "If the GSLP do not build 500 units between now and the next General Election I will not come here to make excuses".

HON J L BALDACHINO:

Mr Speaker, I still keep to that commitment but it was not on television. I said that at the Party's General Assembly. Nevertheless it does not matter where I said it. I will keep to that commitment. If I fail to provide the 500, or if the Government fails, I will not make any excuses.

HON K B ANTHONY:

Mr Speaker, I am delighted to hear the Hon Minister make that statement but I asked the Hon Minister in my question to state where they intended to build them. We have had mentioned Glacis, Varyl Begg, Lake Chad, Westside II. Are there any other places?

HON J L BALDACHINO:

I think, Mr Speaker, that I explained this at Budget time in answer to a question from the Hon Colonel Britto. It has never been said that the 500 houses were going to be built in one Estate. We said we would build 500 houses but not where they would built. We have already commenced and once we have reviewed the position taking into account home ownership, we will decide accordingly. Once we are ready I will then announce it; but as the Hon Member knows I never make announcements until I am ready and once I am ready I will inform him and the general public.

THE HON K B ANTHONY

Does Government have any intention of re-housing the present tenants of King's Bastion Quarters in the foreseeable future and, if not, will they undertake to paint the exterior of the Quarters, which are such an eyesore on Line Wall Road?

ANSWERTHE HON THE MINISTER FOR HOUSING

Mr Speaker, in re-housing tenants, the Housing Allocation Committee does not award points for the state of the painting of the exterior of buildings, therefore this is not a relevant factor.

The question of the repainting of the building is a matter to be decided by the department in the context of its workload. More painting of residential areas is being carried out in this year than has ever been done before by the Housing Department, as the Member opposite will be aware from the amount of money provided in the Improvement and Development fund for this purpose.

SUPPLEMENTARY TO QUESTION NO. 124 OF 1990

HON K B ANTHONY:

Mr Speaker, I am quite aware that a lot of money is being spent on painting. I have just asked the Hon Minister if he will undertake to paint the exterior of these particular Quarters?

HON J L BALDACHINO:

Mr Speaker, I have just answered the question. We will look at it in the context of the whole painting workload.

HON K B ANTHONY:

In other words, Mr Speaker, it may or may not be painted?

HON J L BALDACHINO:

Mr Speaker, that depends on the Department's priorities. Mr Speaker, that eyesore has been there for about fifteen years and if I have to make a decision between painting leaking roofs and painting King's Bastion, I will paint leaking roofs.

HON K B ANTHONY:

The answer, Mr Speaker, is that it will not paint King's Bastion?

HON J L BALDACHINO:

Mr Speaker, I have not said that. What I have said is that it depends on my Department's priorities whether it will be painted in this financial year. If it is possible it will be painted but if a decision has to be taken between painting an eyesore and painting leaking roofs I will do the roofs first.

MR SPEAKER:

Next question.

THE HON K B ANTHONY

Is Government going to carry out any remedial work on the temporary homes at USOC, to avoid a repetition of the heavy condensation and the cockroach infestation, that occurred during the past year?

ANSWERTHE HON THE MINISTER FOR HOUSING

Mr Speaker, remedial work started on 2nd October, although preparatory work at depot level has been going on since mid-September. All four blocks have now been completed as far as ventilation is concerned and half of the first block has already been provided with safety and protection means between each flat.

The question of the cockroach infestation has been dealt with by the Environmental Health Department.

SUPPLEMENTARY TO QUESTION NO. 125 OF 1990

HON K B ANTHONY:

Thank you, Mr Speaker. Is the Hon Minister aware that up to last Friday there was water getting into some of the flats?

HON J L BALDACHINO:

Mr Speaker, I am fully aware but that does not arise insofar as the Hon Member's question is concerned. The Hon Member has asked about heavy condensation and cockroach infestation. However, I can answer in respect of the last point. I am fully aware, Mr Speaker, about one of the flats having water penetration through the windows and we are looking at means of preventing this. We have already provided shutters for some of the flats and once all have been provided with these shutters we will see if this stops the water coming into the flats. If not we will look at other alternatives.

HON K B ANTHONY:

Mr Speaker, is the Hon Minister confident that he will be able to remedy the condensation problem, in particular, before the heavy rains arrive?

HON J L BALDACHINO:

Mr Speaker, I am not an expert on these matters but I have to point out to the Hon Member that heavy rain and condensation are two separate things. Condensation occurs because of rising heat hitting a cool surface. It is immaterial whether it rains or not. Winter is when condensation will occur. I am satisfied that we have tried to remedy the situation although I am not 100% sure that it will solve all the problem. My advisers however think that it is a solution.

HON A J CANEPA:

Ventilation?

HON J L BALDACHINO:

We have already provided for cool air to come between the roofs and the ceilings. As a result the hot air will not hit against a cool surface.

HON A J CANEPA:

Has the possibility of lagging between the ceiling and the roof been considered?

HON J L BALDACHINO:

Yes, Mr Speaker, and I was told that it was no solution because the hot air would still hit a cool roof. I was told that the best solution would be to have a flow of cool air coming in so that it would push the hot air to the sides. That is the advise and the remedy we have carried out. I am however not 100% sure of it being a solution but that is the advise given.

HON LT-COL E M BRITTO:

Mr Speaker, when I questioned the Hon Minister last winter, at the time when condensation was first identified, he informed me then that the question of circulation was a possible cure but if I remember he also said that he was awaiting advise from the makers. Apparently a representative of the makers was going to study the problem on site. What has been their advise? Also, Mr Speaker, why is it that these flats, which have existed for a long time in the UK, do not have that problem there but do have it here?

HON J L BALDACHINO:

Mr Speaker, firstly, they have been used in the UK as offices, I think I said that during the Hon Member's questioning. The makers are coming to Gibraltar next week because I have insisted that they do so in order that I can talk to them here. Other remedies, like the penetration of water through the links of one floor and another, were carried out immediately last summer. The question of ventilation would not have arisen if we had carried out the works in the summer because, as I have said, condensation occurs in winter. We wanted to do the work now because we had arranged for the maker's representative to come out to Gibraltar. They will see the problem and perhaps advise us further.

HON LT-COL E M BRITTO:

Mr Speaker, just to press the Hon Minister. If I remember rightly the question I asked him was round about the beginning of the year and at that time I was told that the makers were coming in March, if my memory serves me right. Is there any reason why they have not come until now?

HON J L BALDACHINO:

Not as far as we are concerned. They might have some reason but I have been insisting since March that they come out to Gibraltar. They have now confirmed that they will be coming next week. If they do not turn up that is another problem.

HON LT-COL E M BRITTO:

Mr Speaker, is there still a possibility of legal proceedings taking place against the makers?

HON J L BALDACHINO:

I would not like to divulge that at this stage. I would first like to discuss the matter with them when they come. In any case, that would be a matter for the Attorney-General once I consult him. I would not like to go further than that, Mr Speaker.

HON LT-COL E M BRITTO:

Finally, Mr Speaker, I am not quite sure of the Minister's point that these units are used as offices in the UK and that therefore the problem does not arise. Is it not a fact that the condensation here occurs just as much during the day as during the night? The difference in temperature in the UK is greater and therefore with people in these units during the day the problem would be the same, if the reasons are the same, and condensation should still occur? If not, why is it that it occurs here and not in the UK?

HON J L BALDACHINO:

The information that I have, again, from the makers, is that this problem has not occurred elsewhere where they have built them, that is their position. They do not see why it should occur here. I think that it has to do with the difference in temperature in Gibraltar. They are, however very surprised that it has occurred here.

HON LT-COL E M BRITTO:

Mr Speaker, whilst not questioning that that is what the manufacturers are saying, does the Hon Minister agree with me that it is illogical? Because if the reason that he has been given is that condensation occurs because of the difference in temperature between the outside of the building and the inside and the greater the difference in temperature the greater the condensation, then surely in the UK where buildings tend to be heated inside and it is colder outside, the difference is greater and therefore, if that is the reason, there should be more condensation in UK and not less. Would the Hon Minister agree that that is logical?

HON J L BALDACHINO:

Mr Speaker, that is logical if he follows the argument that he has followed from the beginning. I have said that in the UK these buildings have not been built for residential purposes. They have been built as offices. In residences there are more cooking facilities which add to the rise in temperature as well as more people living in them. According to the makers they have built these type of units in hotter temperatures than the UK and this problem has not occurred. I can only go by what they have said, Mr Speaker, and although I follow the Hon Member's logic and I agree with him, I cannot say why it does not happen in the UK or anywhere else. I am giving the Hon Member the reasons the makers have given me. It does not mean that I agree with them.

MR SPEAKER:

It must be the levanter! Next question.

THE HON LT-COL E M BRITTO

Will Government confirm that some non-Gibraltarian labour engaged at GSL on a casual basis does not pay income tax or social insurance?

ANSWERTHE HON THE MINISTER FOR GSL AND TOURISM

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 126 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, will the Minister then confirm that all the labour at GSL, including those employed on a casual basis, have always paid and continue to pay tax and social insurance?

HON J E PILCHER:

No, Sir.

HON LT-COL E M BRITTO:

Mr Speaker, the Hon Minister will not confirm that they have always paid?

HON J E PILCHER:

No, Mr Speaker, because the Hon Member opposite is working under the premise that GSL employ casual labour which it does not.

HON LT-COL E M BRITTO:

We are entering the area of pedantics again, Mr Speaker. Is labour working at GSL on a casual basis?

HON J E PILCHER:

Not for GSL, Mr Speaker. It is not a matter of pedantics but of fact.

HON LT-COL E M BRITTO:

Mr Speaker, is there casual labour working for companies engaged by GSL?



HON J E PILCHER:

The answer to that question, Mr Speaker, is that GSL does sub-contract certain companies on a lump sum basis on specific contracts. Whether they employ casual labour or not is something which will have to be raised with them and not with GSL.

HON LT-COL E M BRITTO:

Mr Speaker, is the Hon Minister aware of any casual labour working at or engaged by GSL that does not pay tax or social insurance?

HON J E PILCHER:

No, Mr Speaker. If the Hon Minister was aware of that he would do his duty as a Government Minister and report the matter to the relevant authorities immediately. That is precisely what the Hon Member opposite should do if he has such information.

HON LT-COL E M BRITTO:

Mr Speaker, I have a limited amount of information but not enough to be able to communicate it to the Hon Minister. In fact, I was hoping that through my questioning I might be able to get more information but it is obvious that I am not going to get it. I shall therefore carry out certain investigations on the lines that I have been pursuing and if I am able to substantiate and confirm the matter I will take further steps by either informing the Hon Minister or bringing the matter before the House again.

HON J E PILCHER:

I thank the Hon Member and any information he can give us, as a Government, will be more than welcome. I must however point out that if he thought he was going to illicit such information from us, which is a breach of the law, then he should have thought again before putting the question, Mr Speaker.

HON LT-COL E M BRITTO:

My information, Mr Speaker, is that there is a private company, run by a Portuguese gentleman, or which used to be run by such a gentleman, because I am now given to understand that he is now in partnership with someone local, again I am not sure of my facts, and no doubt the Hon Minister knows what I am talking about. My information,

Mr Speaker, is that the labour being contracted or being brought in by this private company, and I am not sure where it is working within the GSL/Joint Venture system, on a short-term basis, I understand, and paid cash at the end of the week without pay slips and without the deduction of tax or social insurance. That, Mr Speaker, is the limit of the information that I have and which I pass on to the Hon Minister at this stage. I shall, however, carry out further investigations and if I obtain anything else I will let him know.

MR SPEAKER:

Next question.

NO. 127 OF 1990

ORAL

THE HON A J CANEPA

Will the Minister for GSL explain the position regarding discussions with Kvaerner?

ANSWERTHE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, as the Hon Member is aware, I will be tabling the GSL Accounts for 1989 at the adjourned meeting of the House and as such a full debate on GSL will follow. I will deal with this question at that time.

SUPPLEMENTARY TO QUESTION NO. 127 OF 1990

HON A J CANEPA:

I was expecting that reply, Mr Speaker. However, is the Minister aware that the debate will entail discussion on the 1989 Accounts? That we are now in October, 1990, and that what is or is not happening with Kvaerner is not related to the Accounts ending on the 31st December, 1989? It is therefore quite proper, Mr Speaker, that I should ask questions and expect answers independently of that debate because neither the Hon Minister or we, in the Opposition, have to bring up the question of Kvaerner when we debate those Accounts.

HON J E PILCHER:

Mr Speaker, as the Hon Member is aware and although he is technically correct that the motion which will be tabled by me at the adjourned meeting will deal with the 1989 Accounts, the Hon Member should also be aware, because he has been here in this House since GSL was created in 1984, that when such motions are tabled the opportunity is taken by the political entity of the day, before it was the AACR and although presented by the Financial and Development Secretary, since we come into office, Mr Speaker, we have used the occasion to explain what has happened during the year of the Accounts but also to explain the position as it is happening today and the short to medium-term future of the company. This, Mr Speaker, happened last year and we intend to do the same this year.

HON A J CANEPA:

Mr Speaker, I cannot compel the Hon Minister to answer my questions today but what I will do, Mr Speaker, is ask a list of supplementary questions on which I would wish information and request the Hon Minister when he comes to the House in two week's time, to move the motion on the Accounts, to provide

the necessary answers. The information we are requesting is the following:

(a) the question of redundancies: What is the position of GSL? In the discussions with Kvaerner regarding redundancies, how many people at management level are Kvaerner likely to bring out from Norway? How many industrial workers are they proposing to bring out from Norway? What is the future of the Pension Plan going to be? The Pension Plan established at GSL, what is that Pension Plan's future in the context with the discussions with Kvaerner?

(b) What is the position of Gunwharf? Is that part of a possible takeover by Kvaerner? Or is that being dealt with separately? And, if so, why?

(c) The other thing, Mr Speaker, is that I hope that, of course, the Hon Minister will also, and I am sure that he will, at the time of the debate be in a position to communicate to us the latest position of the attitude of the men and the TGWU on the state of the discussions.

These, Mr Speaker, are the things that we are likely to want answers at this juncture on the affairs of GSL. They are, we think, quite proper questions, and that the Hon Minister will provide the necessary information.

HON J E PILCHER:

Mr Speaker, if the information that the Hon Member is seeking is available at the time of the discussion on the GSL Accounts ~~it~~ will obviously be made available. We will, however, have to wait until the adjourned meeting.

MR SPEAKER:

Next question.

THE HON P C MONTEGRIFFO

Can Government undertake that it will continue to have political responsibility for the operations of our shiprepair yard in spite of any deal that may be arrived at with any new operator in the future?

ANSWERTHE HON THE MINISTER FOR GSL AND TOURISM

No, Sir. The Government will not be engaging an operator to run the yard on its behalf.

SUPPLEMENTARY TO QUESTION NO. 128 OF 1990

HON P C MONTEGRIFFO:

That means, Mr Speaker, that the Government is still of the view that it will answer politically for the operations of the yard in this House?

HON J E PILCHER:

It is a pity, Mr Speaker, that the Hon Mr Ken Anthony, who used to teach me English Literature, is not beside the Hon Member at the moment because my reply was "No, Sir. The Government will not be engaging an operator to run the yard on its behalf". Therefore the answer is that we will not be engaging an operator. If we go down the path that has been discussed about an operator taking over, the operator will take it over as a separate commercial entity.

HON P C MONTEGRIFFO:

So the Government will no longer make itself responsible to answer on behalf of the company?

HON J E PILCHER:

That is correct, Mr Speaker.

HON P C MONTEGRIFFO:

Will there therefore be no Government Minister on the Board of GSL?

HON J E PILCHER:

Mr Speaker, GSL would not be running a shipyard and therefore there would not be a need for direct intervention by Government in what would be, at that stage, although at the moment it is still hypothetical, a commercial company.

HON P C MONTEGRIFFO:

Mr Speaker, did I not understand it to be a fundamental cornerstone of GSLP policy that in the running of the yard, however it was managed, either through a management contract or otherwise, the Government felt political responsibility was a crucial factor and that the operation of the yard would be something which the elected GSLP Government would remain politically accountable for?

HON J E PILCHER:

No, Sir. The Hon Member's perception of what we said or did not say is immaterial. That is not what we said and that is not the position, Mr Speaker.

HON G MASCARENHAS:

Mr Speaker, does the takeover of the yard entail the transfer of the Government's shares or will the company be wound up?

HON J E PILCHER:

Mr Speaker, I have just informed the Hon Leader of the Opposition that there would be a full debate on GSL when the Accounts are ready. I think we are now leading to the same points which the Hon Leader of the Opposition asked he would like to know about when we debate the matter and if they are available at the time we will answer these points.

HON P C MONTEGRIFFO:

Mr Speaker, the effective conclusion which the Hon Minister's answers seem to lead us to is that what is envisaged is a privatisation of the shiprepair operation. Because what we are seeing is the conversion of a public owned facility, either through a company, as it is at present or directly as it would have been before, as an MOD structure, to an entirely private run operation for which the Government would feel it is not politically answerable. Is that an accurate summary, Mr Speaker? That the Government is contemplating privatisation as the means of its deal with Kvaerner or with any other operator?

HON J E PILCHER:

That, Mr Speaker, is one of the possibilities but again, at this stage, the question is hypothetical.

HON P C MONTEGRIFFO:

And if the Hon Minister is prepared to answer this question, if not, I would ask him to reply during the debate. Would the holdings that GSL has in the various joint venture companies linked to the diversification programme, now supposedly to be abandoned, also be privatised in favour of the new operator? Or are they matters which are totally separate and Government will hold on to those shares?

HON CHIEF MINISTER:

Mr Speaker, the Government is not considering selling GSL to anybody. There will therefore be no transfer of GSL, as a company, to anybody or of any company in which GSL has a shareholding, to anybody. What the Government is considering is a proposal for renting out the area. Therefore if the area is rented out to a separate independent private company that will pay a rental to the Government that separate private company will not, in fact, be presenting Accounts to us, as a Government, because we will not own shares in that company and therefore the Accounts would not be brought to the House because they would not be the Accounts of GSL. GSL would get a fee income from that company and that company, if they were to proceed, which may or may not happen, would be responsible for keeping its profits, if it makes money and carry its losses if it loses money. We are certainly not considering and are not prepared to consider having somebody managing the shipyard on behalf of the Government, which is what we terminated when we came into office in 1988. So there is no question of GSL engaging an operator to run the shipyard on its behalf. Either the shipyard is run as a Government owned company by the Government, where we said that we reassess the possibility of doing that this year, and that assessment will be explained by my colleague when he presents the Accounts, because that is what we have committed ourselves to doing or else we will not be involved in repairing ships.

HON P C MONTEGRIFFO:

I am grateful to the Hon the Chief Minister for that explanation. The position then does remain, Mr Speaker, that if the deal goes through we are then talking about the privatisation of the functions or the exploitation of a certain area in the yard currently now used for ship repairing but which could be diversified by the new company in such area as would be permitted under its agreement with Government. But it would be a private commercial enterprise which the company would be exclusively responsible for?

HON CHIEF MINISTER:

Yes, Mr Speaker, it would be if were we to go ahead but we do not know whether it will or it will not. If, however, it were to go ahead, as far as we are concerned as a Government, the position is that we are not prepared to have a situation, frankly, where we have an outside company involved and we carry the responsibility. That is what we thought was wrong before we came into Government, where we had a situation where A & P Appledore were calling the shots and the Government of Gibraltar wanted to distance itself from something which it could not distance itself from because it was the owner and therefore, politically responsible. We do not accept that situation and will not be prepared to contemplate such a proposal, if such a proposal were to be made. The position is that if the Hon Member opposite wants to call it privatisation then I suppose every time we rent a building and the tenants are a private company that is considered to be privatisation. The future of the yard independent of Kvaerner is a matter where we have already laid down very clear guidelines in last year's debate. That the yard had, in fact, to achieve certain targets and Members will be told whether they have or they have not achieved those targets when the Accounts are presented.

MR SPEAKER:

Next question.



THE HON P C MONTEGRIFFO

What guarantees is the Government prepared to give to such employees who will not be taken on by any new operator in the shiprepair yard?

ANSWERTHE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, the guarantees that have been given to GSL employees will continue to apply to anyone who remains in the employment of GSL.

SUPPLEMENTARY TO QUESTION NO. 129 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, what guarantees will be given to those who are not kept within the operation as run by any new entity taking over responsibilities for the yard? Will the Hon Minister confirm that in line with the previous undertaking given by the Government to workers in the yard that nobody will be made compulsorily redundant? And that those people who do not get a job from the new operator, for want of a better description, will be given job opportunities by the Government

HON J E PILCHER:

Mr Speaker, I refer the Hon Member opposite to the answer which I have just given which says that "the guarantees that have been given to GSL employees will continue to apply to anyone who remains in the employment of GSL".

HON P C MONTEGRIFFO:

So what is envisaged, Mr Speaker, is that those people who are not contracted by the new entity, so to speak, will remain GSL employees and GSL will presumably diversify into other activities within the remaining areas of the yard?

HON J E PILCHER:

Mr Speaker, the future of the employees, who in the hypothetical case of GSL being taken over, because let us face it, Mr Speaker, we are being asked hypothetical questions, in the hypothetical case that that were to happen, the future of the employees that remain with GSL would be discussed between the company, the Union and the employees involved and not here in this House.

HON A J CANEPA:

Mr Speaker, before leaving the subject of GSL, may I thank the Hon Mr Pilcher for the advance draft Accounts that we have received.

MR SPEAKER:

Next question.

23.10.90

NO. 130 OF 1990

ORAL

THE HON G MASCARENHAS

When will the Minister for Tourism make public last year's expenditure in respect of attracting tourism to Gibraltar?

ANSWER

THE HON THE MINISTER FOR GSL AND TOURISM

Answered together with Question Nos. 131, 132 and 133 of 1990.

23.10.90

NO. 131 OF 1990

ORAL

THE HON G MASCARENHAS

Will the Minister for Tourism state what plans the Government has for attracting tourism to Gibraltar next year?

ANSWER

THE HON THE MINISTER FOR GSL AND TOURISM

Answered together with Question Nos. 130, 132 and 133 of 1990.

23.10.90

NO. 132 OF 1990

ORAL

THE HON P C MONTEGRIFFO

What changes to the advertising and promotional marketing of Gibraltar does the Minister for Tourism intend to introduce to deal with the present crisis facing the industry?

ANSWER

THE HON THE MINISTER FOR GSL AND TOURISM

Answered together with Question Nos. 130, 131 and 133 of 1990.

THE HON P C MONTEGRIFFO

Will the Minister for Tourism define what the Government means by "upmarket tourism" and from which markets is the Government intending to attract such tourism?

ANSWERTHE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, it is not practical to answer any of these questions in isolation since I have already, on various occasions, made known the overall marketing strategy being pursued by the Gibraltar Tourism Agency. For the benefit of Members Opposite, I will briefly explain this strategy which is based on a three year programme.

On taking office in March 1988, the overall Tourism Marketing Strategy and image of Gibraltar was re-assessed. This reassessment was necessary as Gibraltar's standing in the tourism markets, and more specially in the United Kingdom, was perceived as being that of a very down market destination. After consultation with the different sectors of the Industry and in keeping with the Government's own defined ideas, it became apparent that Gibraltar's future in the Tourism World was dependant on its ability to attract a more high profile and specialist client without ignoring the requirement of the day visitor.

It has always been obvious that Gibraltar could not compete in mass tourism, not just because of its size but because that type of tourist market is based on the availability of cheap labour, cheap food supply and cheap services, none of which have existed or can exist in our economy.

"Up Market" tourism or "High Profile" tourism, are terms used to denote the leisure travel activity of tourists in the A, B and C socio-economic groupings. These people have above average earnings and therefore greater than average spending power, which makes them potentially highly valuable to the local economies of the places they visit.

In order to achieve these objectives, of going up-market, an in depth study was carried out by us and its conclusion resulted in the need to change Gibraltar's image. To achieve this it was necessary to depart from the past and from the policies that had proven unsuccessful. Our first move was to appoint new Advertising Agents capable of working to this new policy and objectives. During this period of transition and conscious of the need to maintain a market presence, the Tourist Office run a series of consumer press advertisements.

On the 1 April 1989, the Tourism Agency took over responsibility for Gibraltar Tourism. Its first objective was the formulation of a three year plan to make Gibraltar a high profile destination. This Plan would run in parallel with major improvement to the product locally, which was felt to be one of the main priorities.

The first stage was to create a new image and identity that would signal a break with the past. A new corporate identity was designed under the guise of the National Tourist Board. A marketing plan consistent with the objectives of taking Gibraltar to a more high profile destination, was adopted.

The presentation of the new image together with the plan was announced to the Trade and Press locally and in the United Kingdom to coincide with what is perhaps one of the most important Touristic events, The World Market exhibition in London. This was followed up with similar presentations in Madrid during the time of F.I.T.U.R. and in Berlin during I.T.B.

The three year Marketing plan is composed of the following:

1. Consumer Advertising.
2. Trade Advertising
3. Supporting Advertising and Marketing Activities which include the production of a new brochure emphasising the change.
4. Trade Exhibitions.
5. Trade and Media relations.

Consumer Advertising has been geared to target special interest groups covering areas relevant to Gibraltar. Each Campaign is aimed at a specific market presenting the benefits Gibraltar offers as a tourist destination. Last year the Agency spent in excess of £320,000 in Advertising/Marketing.

In parallel with the major campaign in the UK, which incidentally is proving very successful, the Agency is actively pursuing other markets and has held a series of meetings with major tour operators from Spain, Central Europe and Scandinavia. The Agency will shortly also undertake a marketing trip to Morocco together with a local entity.

There have also been major changes in the product locally ranging from major improvements to the sites to a new high profile image of information in general, but I am sure that there is no need to enumerate these as extensive local publicity has been given.

Mr Speaker, a lot has been said this summer about the present crisis in Tourism as if this were something applicable to Gibraltar only. The crisis in tourism has been worldwide and has been caused by a series of effects, in most cases unrelated to the destinations. Taking this background into account Gibraltar has not fared badly this summer.

There are no changes to the advertising and promotional marketing of Gibraltar envisaged.

I will also remind this House that there are changing trends in international Tourism which will continue to affect Gibraltar and that this together with the transitional state of Gibraltar will continue to provide problems in certain sectors. Overall, Mr Speaker, I am satisfied, and so are most sectors of the Industry, that we are going<sup>117</sup> about the business of selling Gibraltar in the right way.

SUPPLEMENTARY TO QUESTION NOS. 130, 131, 132 AND 133 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, is the Hon Minister satisfied that Gibraltar has the facilities and is in a state to attract "up market" tourism in the forthcoming tourist year? Are the facilities adequate to make "up market" tourism a credible policy?

HON J E PILCHER:

Yes, Mr Speaker, particularly in the light of the amount of financial outlay that has been made by the Hotels in bringing their product up to what is now considered to be a very "up market" refurbishment.

HON P C MONTEGRIFFO:

Mr Speaker, is the Minister not of the view, and we would all like it to be different, that the general facilities offered by Gibraltar are not anywhere yet close enough to the level of services that we would have to provide before "up market" tourism can be attracted to Gibraltar? Does the Minister believe that the basic facilities for that "up market" tourism are in place?

HON J E PILCHER:

Mr Speaker, the Minister is not sure that at this moment the infrastructure that the Hon Member is referring to is in place. Let me inform the Hon Member that it is not a question of changing from the "D's", "E's" and "F's" straight to the "A's". There has to be a transitional period by which we attract tourism of a higher profile image and this is happening already Mr Speaker. There has been a lot of changes in Gibraltar and there are going to be many more. As I said before, it is not possible for Gibraltar to compete with mass market tourism. Tourism, Mr Speaker, is like any other business anywhere in the world.

HON P C MONTEGRIFFO:

Mr Speaker, I accept the analysis that Gibraltar cannot compete in the mass tourism market, but the point that I am trying to make is that it cannot also compete in the "up market" tourism unless much more major investment is made into the tourist infrastructure, or product. I put it to the Hon Minister that we are all kidding ourselves in pretending that we are in the business of "up market" tourism bearing in mind the dearth of facilities which unfortunately Gibraltar provides at the moment. Does the Hon Minister not agree that this is the case and will continue unless we provide major investment in the product?



HON J E PILCHER:

I can confirm, Mr Speaker, that the Hon Member is kidding himself. That I can confirm. I have given the Hon Member opposite the answer to the question that he is asking. I am convinced that Gibraltar can develop into a more high profile "up market" destination. We have to do this slowly and this links up very well with the International Business Centre. We are already working at this and improving the tourism product. We may or may not require much more financial expenditure but what we are investing in our infrastructure with regard to telephones, services, etc is part of our strategy to develop into an "up market" destination which can cater for "up market" tourism.

HON P C MONTEGRIFFO:

Finally, Mr Speaker, I just put it to the Hon Minister that a credible tourism policy for the next one to three years and a credible advertising policy for tourism should not concentrate exclusively on the "up market" segment because if we do that, frankly, we are completely misleading ourselves into believing that we can carve a niche for ourselves in that market at present. In the absence of a much greater degree of investment in Gibraltar's favour, in Gibraltar's facilities, all we have to show is a glossy brochure that pretends to tell the truth about Gibraltar's tourism product but that is, in fact, not the case.

HON J E PILCHER:

Mr Speaker, I think that the Hon Member opposite is doing Gibraltar a disservice by saying what he has just said.

HON P C MONTEGRIFFO:

I am being frank, Mr Speaker.

HON J E PILCHER:

First of all, Mr Speaker, I have explained on two occasions, in the two previous supplementary questions, that it is not a question of gearing Gibraltar from a "down market" to an "up market" destination overnight. If the Hon Member had paid attention to my answer he would have noted that we are also targeting "C1's" and "C2's" which are considered to be middle of the road because the "A's" and the "B's" are considered to be "up market" and the "E's" and the "F's" are considered to be "down market". "C1's", "C2's" and "D's" are considered to be "middle market". What we are trying to do, Mr Speaker, is balance the two and slowly move "up market". This is based on what the industry themselves told us two and a half years ago and also given the knowledge that we have, given that Gibraltar is not a cheap destination and cannot hope to become

a cheap destination. We know we cannot compete with a place that is yards away from Gibraltar. With regard to investment, Mr Speaker, we are investing in many areas and there are further plans to invest but it is a question of priorities. I am however certain that we can make it as an "up market" destination. It may not be overnight a destination that will only cater for "A's" but Gibraltar has everything it needs to become a very important "up market" destination.

HON P C MONTEGRIFFO:

Mr Speaker, I agree that the potential is there. What I am questioning is the degree to which we are marketing something before the transformation has taken place. Mr Speaker, if I can ask one final question. In targeting the markets which we are supposed to be attracting tourists from, is it still United Kingdom or does the Hon Minister feel, despite our position on flights to Gibraltar, that Gibraltar would be sufficiently attractive to attract, for example, Germans coming to Gibraltar for a significant stay?

HON J E PILCHER:

Mr Speaker, the Hon Member knows, because I have already mentioned this, that we are targetting other areas, like Scandinavia and Central Europe. There is no doubt at all in my mind that it is more difficult to bring to Gibraltar tourists from Germany and other areas through London than it would be direct from their place of origin. However, at the end of the day, Mr Speaker, what we are trying to do at the moment is to activate interest. Once the interest has been activated, once the Tour Operators, and I have said in my answer that we are talking to the major Tour Operators, are convinced that Gibraltar can become a one, two or three centre holiday destination because Gibraltar can become the centre of such holidays, and if they are to spend a few days up the Coast or in Morocco, well it is also a benefit for Gibraltar. I realise that it is more difficult through London but we are also actively looking at communications.

HON G MASCARENHAS:

I thank the Hon Minister for his brief statement on last year's expenditure. He has gone slightly further than what he said on television because he has now said in excess of £320,000. Mr Speaker, will he tell the House what they are spending in terms of advertising, promotion and marketing this year?

HON J E PILCHER:

First of all, Mr Speaker, I think the Hon Member is confused because I did not use, at any stage prior to this summer which is when the so-called crisis hit Gibraltar, or mention any amount of money that I was spending. What I did say, and I even forget the circumstances because this was blown out of

all proportion, was that we were spending 60% more than what the AACR ever spent on advertising. What I am now saying is that we have spent £320,000 for last year. I have all the relevant figures here and can, if the Hon Member wishes, go over them. This year one will be spending more than what we spent last year. However, until such time as the year is over I will not be able to give him the exact figure involved.

HON G MASCARENHAS:

What the Hon Minister is saying is that the Agency intends to spend more than £320,000?

HON J E PILCHER:

What I said, Mr Speaker, and I will repeat it, is that I did not remember under what circumstances or what context these comments were said but what I said was that I was sure that we were spending at least 60% more than what the AACR ever spent on advertising. In these £320,000 I can vouch for the fact, and I can prove it if the Hon Member wishes, that we have spent more than 60% of what the AACR ever did. Not only on pure advertising but together with marketing we have spent more than they ever did. What I can say to the Hon Member today is that this year we are spending more.

HON G MASCARENHAS:

So the Hon Minister is saying that he will increase the expenditure of last year but he cannot give us an indication of whether it will be an increase of 10%, 20% or whatever?

HON J E PILCHER:

I dare say, Mr Speaker, that if I do say to the Hon Member opposite that I think that we are going to spend 10% or 15% or 20%, normally they would then hold me to it. So what I am saying is that the commitment is to spend more and in June or July of next year, when the Accounts are ready, if he wishes, I will tell him how much we have spent but it will certainly be more than the previous year.

HON G MASCARENHAS:

What I am trying to get at is that we are already into the financial year and surely the Hon Minister has a budget of what the Agency intends to spend. If they do not start to spend it now when are they going to, when the crisis is on us again next June or July?

HON J E PILCHER:

Mr Speaker, I have said in this House today and on television before that I do not agree with the Hon Member's definition of 'crisis'. I have already spent some money and I am also targeting other areas. Mr Speaker, the Hon Member knows this because he was in a forum, in his other role outside politics, where he met with me and where we were looking at a marketing trip to Morocco. We are also looking at, with the Chamber of Commerce, at specific targeting of the Spanish market, this will therefore change the projections and we could end up by spending more than what we thought at this stage. The Hon Member, Mr Speaker, should be happy that I am telling him that we will spend more than £320,000.

HON G MASCARENHAS:

I am neither happy or sad, Mr Speaker. As far as we are concerned the Government does not have a tourism policy, whether it is a higher profile or whatever he wishes to call it. Finally, Mr Speaker, the Hon Minister ended his statement by saying that there had been a worldwide recession and that Gibraltar had not escaped this. Could he please tell me which other nation, in Europe, let alone the world, had 20% to 30% capacity in their hotels?

HON J E PILCHER:

Mr Speaker, if the Hon Member wishes, and if he had bothered to check the Hotel Occupancy Survey that was tabled today, what the Hon Member would have seen .....

HON G MASCARENHAS:

Mr Speaker, that Survey refers to 1989.

HON J E PILCHER:

Yes, Mr Speaker, 1989. Has the Hon Member bothered to look at the Survey?

HON G MASCARENHAS:

Yes, Mr Speaker, and there is a substantial decline already in 1989.

HON J E PILCHER:

If the Hon Member bothers to look at the Hotel Occupancy Survey what he will realise, Mr Speaker, is that the policies that I have just expounded are already taking effect. If the Hon Member looks at the Arrivals table - All Hotels, he will see that Tourist Arrivals in 1989 were much greater than Tourist

Arrivals in 1988 and All Arrivals in 1989 were higher than All Arrivals in 1988. Although the information that I have is of a nature that because of statutory obligations I cannot reveal it to this House, I can tell the Hon Member opposite that the trend is continuing. There are more tourists coming to our hotels today than there have ever been. Overall stays are also higher than they have ever been. However, Mr Speaker, in a transitional state what we are not getting is the people that used to stay in Gibraltar for seven to fourteen days and which were package tours. What is now happening is that there are more "up market" "high profile" "high spending", call it what you like, coming to Gibraltar and staying in our hotels for three or four days. So there are more tourists in Gibraltar at the moment but they happen to spend less time in our hotels. Now to finish the equation, Mr Speaker, the Hon Member knows, because he is a professional in this field and as a Travel Agent/Tour Operator, that the amount of money paid to an Hotel by a package operation could be as little as £10, £15 or £20 a night whilst someone who stays for three or four nights over the counter pays much more because they pay at full rate. What I am explaining, Mr Speaker, is that we do not require to exchange fifteen tourists in Group "F" for fifteen in Group "B" because the latter spending is much greater. Mr Speaker, as I indicated to the Hon Mr Montegriffo, we have to look in our overall policy not at tourism as an isolated element but in the overall economy of Gibraltar. What we cannot do, Mr Speaker, is continue to bring people to Gibraltar who are of very little spending power and who, in fact, create a burden to the economy of Gibraltar. We do not, in fact, have less tourists. We have more tourists but are staying less days in our hotels and in Gibraltar. Another thing which I must tell the Hon Member, and now that I have him opposite I am not going to let him get away easily, is that in all the sectors that concern tourism in Gibraltar there is an increase this year. Day excursionists are up, Cruise liners are up, etc all are showing an increase. So, Mr Speaker, I would like the Hon Member to explain to me, and this House, where exactly there is a crisis? As far as I am aware there is only one problem this year, albeit it is a serious problem, but it has already been discussed and that is the question of airline capacity this summer to bring tourists. I have, and I can show the Hon Member, faxes from Tour Operators, colleagues of his, saying: "I have the people to send to Gibraltar but I cannot send them because there are no seats available". This I accept is a fact and we have discussed the matter with both airlines and I think we now have a comprehensive winter programme. I hope that we will not have a repetition of this summer's difficulties. I am satisfied that the airlines have now created a very good Winter Programme.

HON G MASCARENHAS:

I understand what the Hon' Minister is saying. I know that Hotels are now fuller than during the summer. The Hon Minister is however mixing visitors, be they businessmen, with tourism. I am talking about tourism, pure tourism, and the Hon Minister is failing to distinguish those facts, Mr Speaker.

HON J E PILCHER:

Mr Speaker, I have just explained to the Hon Member opposite that not only do we have an increase of his so-called tourists in 1989 and 1990.....

HON G MASCARENHAS:

The 1990 figures are not available.

HON J E PILCHER:

Mr Speaker, the Hon Member will have to accept that since the AACR drafted the Statistics Ordinance, I am not able to give information to the House because these figures are produced to the Statistics Office on a confidential basis. The Hon Member can however take my word for it that the trend we saw in 1989 of more tourists coming to Gibraltar, that that trend has continued in 1990. So we have this year more tourists coming to Gibraltar than we have in 1989. He will have to take my word for it, Mr Speaker. As I have already said, the problem lies in less Package Tour Arrivals and the non-availability of airline seats but I have explained those two points.

HON G MASCARENHAS:

Mr Speaker, the Hon Minister is talking about numbers but does he mean visitors or does he mean tourists?

HON J E PILCHER:

I have already explained that, Mr Speaker. I will however explain it again. Day excursionists, what we call people coming in for the day, we have had an increase, using the same statistics that have been in existence since 1985, of 9.5%. The other aspect is that we have had a 12.6% increase to date this year with regard to Cruise liner arrivals in Gibraltar. The other element is what I call the overnight tourist, which is what the Hon Member is referring to, and we have a major increase in the number of tourists coming to Gibraltar this year. The difference is that instead of spending seven, ten or fourteen days in Gibraltar, as they used to do before, they are now staying a less amount of days in our Hotels. Hence the consequent problem of Hotel Occupancy. But we must accept that we are in a transitional stage and we will not

only catch up but because the people coming in now spend more money we will all be better off, especially the Hotels because these people pay higher rates than package tourists. The Hon Member knows this.

HON G MASCARENHAS:

Mr Speaker, 20% to 25% hotel occupancy rate even at the tariff rate is not profitable for any hotel.

HON J E PILCHER:

Fine, Mr Speaker, I have not shied away from that problem and I said at the end of my answer that "the trends in international tourism together with the transitional state of Gibraltar will continue to provide problems in certain sectors" However, to go from that to say that there is a crisis in Gibraltar is not the case. There is no crisis. We have more day excursionists and more tourists coming to Gibraltar than ever before. So to say that there is a crisis is to do Gibraltar a disservice. If necessary, I will seek permission from the Hotel Association to allow me to produce this year's figures to show the Hon Member that I am telling the truth.

HON G MASCARENHAS:

Will the Hon Minister give an undertaking that next year's figures will be even better?

HON J E PILCHER:

Mr Speaker, if the trend that has been established is maintained, that will be the case. I however do not have a crystal ball.

MR SPEAKER:

Next question.

23.10.90

NO. 134 OF 1990

ORAL

THE HON G MASCARENHAS

Is Government taking any action to improve the flow of traffic on the Upper Rock particularly at the Apes Den?

ANSWER

THE HON THE MINISTER FOR GSL AND TOURISM

Yes, Sir. Government has taken action to improve the traffic flow on the Upper Rock. Traffic Wardens were employed this summer to control traffic at both St Michael's Cave and Apes Den. This measure proved successful. Traffic control within the Apes Den has also been improved and part of the duties of the Wardens is to ensure adequate traffic flow. The Tourism Agency is now in the process of substituting Jew's Gate for Queen's Balcony as the Panoramic stop on the South Side of the Upper Rock tour thus decongesting the entry road to St Michael's Cave. This together with the introduction of new tourist sign posting for the Upper Rock area will, I feel, greatly improve the flow of traffic.



THE HON LT-COL E M BRITTO

Will the responsibilities and functions of the post of Principal Auditor be changed in any way when the present incumbent retires at the end of the year and when is it intended to appoint his successor?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, no change will take place in the responsibilities and functions of the post and a successor will be appointed in due course.

SUPPLEMENTARY TO QUESTION NO. 135 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, am I right in saying that the present incumbent retires at the end of December?

HON CHIEF MINISTER:

I do not see what difference that makes to the question and the answer that I have given the Hon Member, Mr Speaker. I suppose that he does.

HON LT-COL E M BRITTO:

I am trying to pin down the Hon the Chief Minister, Mr Speaker on what he means by 'due course'. Does the Hon the Chief Minister mean . . . . .

HON CHIEF MINISTER:

Mr Speaker, by 'in due course' I mean that if he retires on the 31st December, 1990, the new incumbent will be in place by midnight on the 31st December, 1990.

HON LT-COL E M BRITTO:

Thank you, Mr Speaker, that is what I wanted.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Will Government say what Special Funds, as understood in the context of the Public Finance (Control and Audit) Ordinance, have been or are in existence in 1990 and say who is the Controlling Officer in each case?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, one new Special Fund was created in 1990, the Gibraltar Coinage Fund. The information the Member is seeking regarding the other Special Funds is already available to him in published documents and is not, therefore, a matter that has to be dealt with in this House.

SUPPLEMENTARY TO QUESTION NO. 136 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, the Controlling Officers are available in public documents?

HON CHIEF MINISTER:

That is correct, Mr Speaker. Every time a Special Fund is set up the Controlling Officer has to be named and the Public Finance (Control and Audit) Ordinance says that if there is not a Controlling Officer named then the Accountant-General is the Controlling Officer. Let me also say, in passing, Mr Speaker, that in 1988 there were thirty Special Funds previously created by the AACR administration and that since 1988 there have been three created by my Government.

MR SPEAKER:

Next question.

23.10.90

NO. 137 OF 1990

ORAL

THE HON LT-COL E M BRITTO

Will Government say whether income tax assessments for the year 1986/87 have now been completed and give an indication when those for 1987/88 and 1988/89 are expected to be ready?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the 1986/87 assessments have, I understand, now been completed. The Tax Office has been engaged, since January, in an exercise to computerise all income tax records from 1987/88 onwards. This will enable assessments for the two years, 1987/88 and 1988/89, to be done by computer and to be undertaken simultaneously instead of having to do each year's separately. The Department expects to be able to process assessments more rapidly once the new system is fully operational. At present the information on the tax returns for the two years is being loaded into the computer and the assessments are expected to commence before the end of this year.

SUPPLEMENTARY TO QUESTION NO. 137 OF 1990

HON LT-COL E M BRITTO:

Thank you, Mr Speaker.

THE HON P C MONTEGRIFFO

Will Government agree to treat management companies of Housing Estates as being free from liability to income tax?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, management companies of Housing Estates do not pay tax on the subscription by members.

SUPPLEMENTARY TO QUESTION NO. 138 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, my understanding is that certain management companies which make a profit are subject to income tax. Those that are trying to build up their reserves in order to be able to meet repairs to their Estate, subsequently. Is it the Chief Minister's view that these profits which are to be used for the benefit of the Estate should be subject to the payment of income tax?

HON CHIEF MINISTER:

My understanding, Mr Speaker, of the situation is that in fact that if the management company builds up a fund and invests that fund, the investment income of the fund to the extent that it is not offset by expenses of the management company would be a taxable surplus. But let me say, Mr Speaker that when I received representations shortly after we were elected in 1988 from one particular management company, which is the only one that has approached the Government on this matter, and I said that I was prepared to look at the possibility of giving them an opportunity to invest in an account with the Government which would allow for that problem to be overcome. I think, Mr Speaker, that that is a different situation from saying that a particular kind of company is going to be treated differently from anybody else and not have to pay tax on its investment income.

HON P C MONTEGRIFFO:

I accept that, Mr Speaker, but is it not a fair point to encourage home occupiers living in Housing Estates to set funds aside for future maintenance that that income generated and put aside as a reserve should be exempted from paying tax because it is a non-profit making company? It is a company where the funds put in by the contributors, owner-occupiers, are exclusively for the benefit of the Estate. Therefore, although it is a profit it is not going to go into anything other than for the benefit of the Estate.

HON CHIEF MINISTER:

Mr Speaker, I have already said that the one single representation that I have received, one single group of home-owners, was made about two years ago and we said to them that we would be prepared to look at the possibility of creating an investment vehicle for them which would make the income non-taxable and they never came back.

HON P C MONTEGRIFFO:

Mr Speaker, would the Hon the Chief Minister not agree that in the interests of encouraging home-ownership it would be of great benefit if the monies contributed by home-owners to the management company looking after their Estate should not be subject to tax because it is for the enhancement of their property? It should not be open to that management company that approached the Hon the Chief Minister but a general application to all management companies whose assets are for the betterment of owner-occupier Estates. Does the Hon the Chief Minister not agree that it would be another benefit in the home-ownership package and encourage people to actually contribute significant sums of money?

HON CHIEF MINISTER:

Mr Speaker, I have already answered and I have said that we have considered it and we have suggested an alternative. The people who made the representation never took the offer up.

MR SPEAKER:

Next question.

23.10.90.

ORAL

NO. 139 OF 1990

THE HON P C MONTEGRIFFO

What is the Government's present calculation for the projected deficit for the financial year 1990/91?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the controls introduced this year by the Government are proving reasonably effective. The Financial and Development Secretary has been monitoring the situation and reminding Controlling Officers of the need to seek prior approval before expenditure can be allowed to go above budgets. The Government is therefore reasonably confident that it will be able to meet the expenditure requirements this year with little or no supplementary appropriation and that therefore the projected deficit should be within the forecast given last April.

SUPPLEMENTARY TO QUESTION NO. 139 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, did not the Hon the Chief Minister in one of his Ministerial broadcasts refer to the effect that the extent of the deficit that we were running would result in the depletion of the reserves, at the time, I think, it was within eighteen months, now it would be roughly about one year? Would the Hon the Chief Minister explain whether we are still on course for reaching the depletion of our reserves within that timescale or are there other factors which have brought adjustments to that timescale?

HON CHIEF MINISTER:

Mr Speaker, roughly we are still on course. When we are making a long-term forecast of this nature it is clear that there has to be an element of uncertainty about it. For example we put in last year's Budget an amount of money for the Pay Review which was found to be insufficient, i.e. in 1989. In the 1990 Budget we have put in a sum of £4m which is much bigger than in any preceding year and that looks like it is going to be enough. In making a projection of the position that we will have in the Consolidated Fund at the end of the year 1991/92 to some extent because of our wage link with UK where the rate of inflation in UK rather than our own rate of inflation and consequently the increase in the pay levels will be a major impact because of the total recurrent expenditure of about £70m, as I have explained before, something of the order of £40m, more than half, is wages and salaries which means that if you are looking at an average

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increase of 10% or 11% you are looking to £4m or £4.5m a year. On the basis that it stays at that level, then the projection of a position where the underlying finances of the Government takes us comfortably into mid-1991/92 still holds.

HON P C MONTEGRIFFO:

Mr Speaker, to the extent that the deficit for the financial year 1991 is still on target and to the extent to which that means that within a timescale of about a year the reserves will be exhausted, is the Government in a position today to indicate what areas would further saving in public expenditure or further major restructuring of the way public expenditure be required in the course of the next year, not physically, but years from now, to allow us to avoid exhaustion point in reserves?

HON CHIEF MINISTER:

Mr Speaker, the situation with the restructuring of the Government services that have taken place so far have, in practice, mean that we have been able by better utilisation of manpower and by redeploying people to finance to a very large extent the annual pay reviews. We expect to be able to continue doing this but not for much longer because obviously the more we progress along this road the more difficult it becomes to find more progress. So at the end of the day we are looking at a situation where beyond 1991/92 the savings will have to come not so much from a restructuring of the Government services as such, but from the fact that having established sufficient controls over public spending, which we wish to keep as far as possible within the total limit of £70m, the growth that will have taken place in other areas, for example, a greater level of home-ownership in the longer term will have an impact on the level of subsidised rented houses that we have and consequently the longer term structural changes in the economy will come about through features like that rather than from getting a slimmer and better controlled and better named public service where the targets have already been made public but the extent to which we can achieve these targets is a matter which is in doubt. We will have to see whether we get there in a year or in two years or in three years. We cannot however go beyond the target which we have already mentioned and produce a more compact situation. We do not think that that is possible.

MR SPEAKER:

Next question.

THE HON P C MONTEGRIFFO

What joint venture or other companies has the Government directly or indirectly through a subsidiary, acquired an interest in from March 1988, to date and from which such companies has it withdrawn its participation during this period?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, since March 1988, the Government has invested in three activities in which it was not involved prior to that date. These have been the Land Reclamation Company, the Building Components Factory and the creation of a new Building Society. The Government continues to have an interest in the first two but this year sold its shareholding in the Building Society to its partner in the venture.

SUPPLEMENTARY TO QUESTION NO. 140 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, clearly the Government is involved in commercial participation in matters outside the three areas that the Hon the Chief Minister has outlined and is the Hon the Chief Minister prepared simply to itemise those other companies in which the Government has a participation on the basis that it has a participation as a subsidiary or as a shareholder with other parties?

HON CHIEF MINISTER:

Mr Speaker, the Hon Member already asked me that in Question No. 156 of 1989 and I answered him in the negative.

HON P C MONTEGRIFFO:

Mr Speaker, I accept that the question has already been put but the basis for restating it now is that questions previously put, Mr Speaker, have been on the basis of seeking details as to the commercial operations of each of these companies and, as I understand Government policy, the policy is that they will not answer commercially for activities undertaken by these companies. Mr Speaker, whilst not accepting that position, what I am now asking is will the Hon Chief Minister, whilst not answering in specific commercial matters, will the Government confirm what decisions it has taken, at the initial stage of investment, in a company either directly or through a subsidiary? I do not wish to know what happens after, at the initial stage of investment, because at that stage it is a Government decision as to whether it invests, of taking that decision of investment. There is a distinction, Mr Speaker.



HON CHIEF MINISTER:

Well, Mr Speaker, first of all, the action where a company in which we have an interest takes a shareholding in another company is not a Government act. It is an act by that company in which we have an interest. Secondly, as I have already said in my initial answer, there are three new things in which we have invested. We have made clear from the beginning, Mr Speaker, that although there has been this reaction or reflection from Members opposite as to a whole range of joint ventures being created, the truth of the matter is that each one of those activities was an activity in which GSL was involved in in 1988 and the total number of people employed in all the companies that are trading is no different or, if anything, is less than was employed exclusively by GSL. So if we have a situation where, and I have explained this before, Mr Speaker, if we have a situation before there was a department composed of Security Guards which was part of the 785 workers that GSL employed and today we have a Security company that employs 40 Security Guards, that is not a new activity and new investment and something new that the Government is doing. It is just a more efficient way of organising an activity and a way which has helped to reduce the overheads of the shipyard. It was done for that purpose and it was explained in the manifesto before we were elected that we were going to do it. We actually said that the yard would be diversified and restructured so that the numbers of people who were employed in it were removed from being dependent on shiprepairing because it was losing a lot of money. Independent of that, I have already explained that we created a property owning company, I explained that in 1988 and re-explained it in 1989, I explained it in the 1990 Budget, I gave the Hon Member the same explanation in answer to Question No. 156 of 1989 and this, as I explained at the time, was recycling the money that we were raising in loans by capitalising the equity in the properties that we owned and financing the capital works programme in the Improvement and Development Fund. Other than that the only new activities in which we have been engaged are the three that I have given in my answer.

HON P C MONTEGRIFFO:

Mr Speaker, I am grateful to the Hon the Chief Minister for clarifying that a lot of the joint venture companies are no more than attempts to make more profitable or to run on a more profitable basis activities in which GSL was involved previously or which involved other Government functions. However, Mr Speaker, it is precisely for this reason, and that in fact there is no magic to it, that some people fail to understand why there should be a certain reluctance in spelling out, in very simple and undramatic way, the various companies in which Government, in fact, has an interest, both those that are used for formal proper investment such as the Land Reclamation Company which the Chief Minister has drawn

attention to and to those which really form part and parcel of a restructuring programme of either a public service or of other activities. That, I think, is a question which people ask themselves and which in the absence of decisions being taken lead me to conclude that there could be more to it than the Chief Minister likes to indicate. Having said that, my final question would be, Mr Speaker, my understanding of the Government's position would be in Government not giving information on the commercial activities of the company it has an interest in is that these decisions are necessarily confidential because they are commercial decisions of the company. Now, surely, Mr Speaker, in any situation where the Government withdraws its participation from a company.....

MR SPEAKER:

I must point out to the Hon Member that one of the rules of the admissibility of questions is that if the Member has to make a statement it must not be of excessive length. Will the Hon Member please bear that in mind, otherwise I shall have to intervene.

HON P C MONTEGRIFFO:

I will bear that in mind, Mr Speaker. May I just put the question this way: "Will the Government give its reasons for its withdrawal from its participation in the one joint venture which the Chief Minister has indicated, bearing in mind that that information can no longer be commercially 'in confidence' as far as the company is concerned, since it only concerns the Government?"

HON CHIEF MINISTER:

Yes, Mr Speaker. The original decision to participate in creating the Heritage Building Society was because we were approached with proposals, at the time. We thought that within the parameters of the terms of the Gibraltar Investment Fund, which was created in April, 1988, investing money in commercial entities which was for the social and economic benefit of Gibraltar seemed to us to make sense in providing further facilities for mortgages because it was compatible with Government's commitment to home-ownership. Since then the Society which was established has progressed, there are new people in the field, our partner was concerned about expanding it further and we were not particularly keen having helped to set it up to devote more resources or time, from the Government, into an area which we thought was already, in fact, proceeding well. It was on that basis that our partner was prepared to buy out our shares on a return which was considered to us to be satisfactory for the money that had been there and the period that the money had been there, we took our profits and parted amicably.

HON P C MONTEGRIFFO:

Mr Speaker, could it be confirmed that the Hon the Minister for GSL and Tourism is no longer a Director of that company?

HON J E PILCHER:

No, Sir, it cannot. Because one of the, I will not say conditions, because conditions would be too strong a word, but when, as the Hon the Chief Minister has explained, for the reasons stated to sell its shares in the Heritage Building Society, I felt, Mr Speaker, that the transition from a joint venture, if you like, to a purely private commercial entity was such that I wished to be there to see the interests of its members protected. So what I did, Mr Speaker, was that I stayed on as Chairman of the Heritage Building Society, and will continue as Chairman, since it is proceeding from strength to strength.

HON P C MONTEGRIFFO:

Mr Speaker, I feel I must press this point. Does the Minister fell, and I am casting no aspersions on the matter, because the Society is blossoming like all other such lenders in Gibraltar, but does the Hon Minister think it reasonable, in the exercise of his Ministerial functions, to continue to be the Chairman, nothing less, of a body which is in competition with other lenders and which the Government does not have any interest at all? I am prepared to accept the argument that in a transitional stage the Minister felt that there was a case for a handing over but, surely, the Hon Minister must be minded to move out of that situation in the near future?

HON J E PILCHER:

Yes, Mr Speaker. In fact, as I have already insinuated to the Hon Member, and I am glad that he has confirmed that the Heritage Building Society is flourishing like other businesses in Gibraltar, I am at this stage happy that this is the case and members have been protected fully, that it is an expanding business and I have already advised the shareholders that I will be resigning as Chairman at the end of this year.

MR SPEAKER:

Next question.

THE HON P C MONTEGRIFFO

What is Government's policy in relation to employees of joint venture companies or Government agencies with regard to their entitlement to be re-employed with Government if they should so elect?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the terms under which former Government employees have transferred to other entities have been agreed with the affected parties and given to them in writing.

SUPPLEMENTARY TO QUESTION NO. 141 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, does that mean that there has been no uniformity of approach as far as the employees are concerned?

HON CHIEF MINISTER:

Yes, Mr Speaker, it does mean that because in different situations a different approach took place. For example, in the case of the Tourist Agency, the jobs were not created by converting everybody that was in the Tourist Office into an employee of the Tourist Agency. As a condition laid down by the Clerical Union people were invited to apply from the entire body of the 600 white collar workers in the Administrative Grades. In that case, for example, people volunteered or applied for promotion. They did so in the knowledge that by doing so they were severing their links with the Government and not being able to come back. In other cases there is a situation where the function was transferred wholesale and the agreement with the Union required that everybody should move, based on a majority vote, and not on volunteers applying for those jobs. The conditions agreed in each case reflected the circumstances of each case.

MR SPEAKER:

Next question.

THE HON P C MONTEGRIFFO

Will Government confirm what Government properties have been transferred to Gibraltar Residential Company Limited and on what terms?

ANSWERTHE HON THE CHIEF MINISTER

None so far, Mr Speaker.

SUPPLEMENTARY TO QUESTION NO. 142 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, is the Hon the Chief Minister prepared to indicate the type of terms which is envisaged would apply to a transfer of a Government property?

HON CHIEF MINISTER:

Yes, Mr Speaker, I am happy to oblige and inform the Hon Member opposite. In fact, it is following the same lines that have taken place of commercial property to the Commercial Property Company which I explained to the Hon Member in the supplementaries he put to me in relation to Question No. 156 of 1989. The properties are transferred by a valuation undertaken by the Government Valuer of what is the Government market value of the property taking into account that it is occupied and that it is in a particular state of repair. On the basis of that the formula that has been devised for the residential properties is for post-war properties, which are the properties that we are talking about not pre-war, a valuation of approximately forty times the rent which would give a yield of 2½%. In practice, in fact, a true market value with vacant possession would represent an even higher valuation. In the region of something like sixty times the rent because the yield would, in fact, on current rents be closer to 1½%. The situation is that the properties are, in fact, transferred to the Residential Property Company and immediately leased back to the Government with a clause in the lease that stipulates that the existing occupants of the buildings retain their existing rights as tenants and continue to be tenants of the Government. On the leaseback situation it is still the Government, through the Housing Department that collects the rents, carries out the maintenance and allocates the houses. In fact, all that we are doing is transferring the assets, which in our books currently do not appear, into the Residential Property Company and the money that will result from that transaction will form part of the £25m of property sales, as I indicated at Budget time, when the Member opposite asked me where was the £25m going to come from.

HON P C MONTEGRIFFO:

Then, Mr Speaker, all we are talking about is a transfer of the freeholds of these properties, as opposed to the leaseholds of the properties to the Company, inasmuch as all the properties will be transferred to the Company and then a lease will be granted to the Government. So that, in effect, what the Company is left with is what we would call, lawyers would call, the freehold title with a lease having been granted out to the Government. Would that be correct, Mr Speaker?

HON CHIEF MINISTER:

No, Mr Speaker. The Government, as a matter of policy, does not believe in selling freeholds. So the freehold will continue to be held by the Crown. What we are transferring to the Company is a 150 year lease. What the Company then does is that it leases it back to the Government for a shorter period. We are currently operating on the basis that that period will be ten years on the assumption that in ten years time the Government will be able to make a reassessment of the level of housing stock it requires in the rented sector.

HON P C MONTEGRIFFO:

I am grateful, Mr Speaker, for that explanation. The terms of acquisition by the Company of the leases, will they include provision for the borrowing against those assets, and if so, can the Hon Chief Minister indicate what sort of provision, allowing the Company to borrow against those assets, would be included in the leases?

HON CHIEF MINISTER:

Mr Speaker, there are no special provisions in that respect. To my knowledge if anybody buys an asset the person selling the asset cannot say to the person buying the asset that he may or he may not borrow against it. However, if the Company was going to borrow then no doubt the lender, in looking at the security, would take into account that that property was not available with vacant possession, but was, in fact, the subject of a leaseback to the Government and an occupancy tenancy agreement.

HON P C MONTEGRIFFO:

Mr Speaker, is it therefore, in fact, not envisaged that there will be borrowings taken against those assets held by the Company?

HON CHIEF MINISTER:

Well, not at the moment, Mr Speaker, because at the moment the borrowing capacity of the Government which is being recycled, as I explained to the Member in Question No. 156 of 1989, is sufficient to feed the existing level of expenditure from the Improvement and Development Fund. With our existing borrowing capacity, for example, some of the money that we recently raised from a long-term loan from Barclays Bank will capitalise our Residential Property Company and will come back into the Improvement and Development Fund through a transfer of those assets. It is a way of managing our assets which is, in fact, the other element in our strategy which compliments what I was saying to the Hon Member in answer to the previous question about what we are doing in the restructuring of the Civil Service, essentially we have explained from the beginning that we saw only two possibilities of creating our wealth and of making our national product that much bigger. The first was to make better use of manpower and the second to make better use of property and physical assets and land. That, Mr Speaker, is essentially what we are doing.

HON P C MONTEGRIFFO:

Finally, Mr Speaker, bearing in mind that no properties have yet been transferred to the Residential Company and bearing in mind the purpose of the method that is going to be used, is the Hon the Chief Minister in a position to indicate to this House which properties are envisaged to be transferred and when?

HON CHIEF MINISTER:

Well, Mr Speaker, the fact that no properties have been transferred is because of the time it takes the system to translate policy into reality. That may be a reflection of the slowness with which we are being successful in restructuring the public service. The decision to do this was taken a very long time ago and as far as we are concerned the authority for the transfer is already there. It goes back, in fact, a year when the transfers were approved in Gibraltar Council as they have to be when talking about transfer of Crown Lands. We are talking, Mr Speaker, about the entire post-war housing stock being done in stages.

MR SPEAKER:

Next question.

23.10.90

NO. 143 OF 1990

ORAL

THE HON A J CANEPA

Will the Government make a statement explaining their policy on the tobacco export trade?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question No. 144 of 1990.



THE HON P C MONTEGRIFFO

What is the Government's view of the social implications in Gibraltar of the tobacco export trade?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the Government has monitored the situation regarding the exports of duty free tobacco and concluded, in consultation with HMG, that the wayleave on these exports should be raised so that it could not be alleged that there was a deliberate policy of encouraging such exports.

As a result of the gradual increase in tariff, the licenced export trade has diminished considerably.

It is clear that in addition to the quantities exported under licence there are many persons who visit Gibraltar and purchase tobacco and other goods which they subsequently take away.

The Government does not consider that such persons can be prevented from purchasing goods in Gibraltar which have paid the necessary customs dues on importation. The Government has no evidence to suggest any specific social implication of the tobacco export trade requiring action but the situation will clearly be kept under review so that a view can be formed if and when such information becomes available.

SUPPLEMENTARY TO QUESTIONS NOS. 143 AND 144 OF 1990

HON A J CANEPA:

Is the Government concerned, Mr Speaker, about any possible negative repercussions on Gibraltar's image and reputation as a credible Finance Centre arising from this trade?

HON CHIEF MINISTER:

No, Mr Speaker, we think that the allegations in this respect are unfounded because from our perusal of the comments by our neighbours it would appear that they are much more on the attack against the Finance Centre than they are against the tobacco exports. There has been suggestions which we have, of course, made clear that as far as we are concerned, would command total support from the Government that there may be a link between tobacco exports and drug trafficking. If the position is that there is any evidence in that then it is the drug trafficking that will be attacked by the public authorities. Because the policy of the Government of Gibraltar in this respect is that we take a much tougher line on drugs than our neighbours do.

HON A J CANEPA:

One other question, Mr Speaker. Having regard to incidents this last summer affecting safety at our beaches, what steps does the Government propose to take to ensure that there will be no repetition next year?

HON CHIEF MINISTER:

Well, Mr Speaker, the question of the safety at the beaches is the function of the speed at which the boat travels and the closeness to the shore, not the contents of the boat. It is consequently being looked at in that light, independent of the use to which the boat may or may not be put, by my colleague the Minister with responsibility for the Port. The necessary tightening up of the Regulations will be taking place and we are also looking at how physically greater protection can be given to bathers.

HON A J CANEPA:

Is the Hon the Chief Minister saying that his colleague, the Minister with responsibility for the Port, is going to take an overall look at the situation and arising from these steps and measures that might be taken he is hoping that this problem will also be addressed?

HON CHIEF MINISTER:

No, Mr Speaker, what I am saying is that there will not be different treatment to people who run the risk of running somebody over at the beach depending on whether they are carrying tobacco or Scotch whisky or something else.

HON P C MONTEGRIFFO:

Mr Speaker, does the Government accept that a number of our young people are currently involved, on what is described in questions and recognised in the answers, in the tobacco export trade?

HON CHIEF MINISTER:

Mr Speaker, the Government does not have knowledge of the people who are involved in transporting tobacco out of Gibraltar to be able to say what is the demographic structure of those involved.

HON P C MONTEGRIFFO:

Mr Speaker, may I put it to the Hon Chief Minister that a good percentage of those people involved in the physical side of the tobacco export trade, because there are various elements to it, are young people and on that premise does the Government consider that the "employment" of various sections of our young people in this activity is an enhancement of the skills which young people should be developing? And is an enhancement to the economy of Gibraltar in a way that the Government is seeking to encourage?

HON CHIEF MINISTER:

I am afraid, Mr Speaker, that I do not know what the Hon Member is on about. We are not encouraging anybody to do anything. What I am saying is that the skills that they may be developing or not developing and earning money with may be desirable or undesirable as compared to the skills of registering companies to evade Spanish taxes which other young people are doing in our economy.

HON P C MONTEGRIFFO:

Mr Speaker, I put it to the Hon the Chief Minister that young people are, in fact, involved in the tobacco export trade and I ask him does he consider that the work ethic and the responsibility to contributing to the community in as productive an occupation as is possible is encouraged by young people undertaking this type of activity? Is the Chief Minister seriously telling this House that he has no information, of a private or public nature, to lead him to conclude that, in fact, a number of our young people, an important number of young people, are involved in this trade? Is the Chief Minister so badly informed that he does not recognise that that is a social fact which lamentably affects Gibraltar today?

HON CHIEF MINISTER:

Well, Mr Speaker, the Hon Member is talking about it being a social fact which lamentably affects Gibraltar today as if we were talking about the bubonic plague affecting our young people!

HON P C MONTEGRIFFO:

Something like that, Mr Speaker.

HON CHIEF MINISTER:

Well, that is a matter of judgement, Mr Speaker. According to the Spanish media the worst plague that we have in Gibraltar is people registering companies, in the legal profession, which the Spanish Government feels needs action by imposing a 5% tax on property held by companies. That, Mr Speaker, may be a way of earning money which requires less of a work ethic than going out in a boat. I do not know. I have never tried either of them, Mr Speaker, so I am not in a position to judge which is more hard work. However, if the Hon Member is so concerned about saving the souls of all these young people that he knows are in the trade, then perhaps he will provide me with a list of the people that he knows. I am here, Mr Speaker, to answer facts not speculation or hearsay. From the facts available to the Government we do not know who is involved or how old they are or how many are involved or whether it is half the electorate. We do not know. However, if the Hon Member has knowledge which I do not have, then I would draw his attention to the last sentence in my original answer: "The situation will clearly be kept under review so that a view can be taken, if and when, such information becomes available". I therefore invite the Hon Member to make the information available to me.

HON P. C MONTEGRIFFO:

Mr Speaker, it is not the Spanish Government's view which I am interested in, it is the view of the elected Government of Gibraltar that I am interested in and I put it to the Hon the Chief Minister that he has the resources to confirm what every single individual in Gibraltar knows, that there is a significant number of young people involved in this. On the assumption that the Hon the Chief Minister takes my word for it that there are a significant number of young people involved in the trade of taking tobacco out of Gibraltar in fast launches into international waters and whether that is an activity which the Government feels it should encourage as a profitable activity for raising revenue or whether it is an activity which it would prefer not to encourage and instead to direct young people into other types of occupation?

HON CHIEF MINISTER:

Mr Speaker, I would remind the Hon Member opposite that he tabled a question previously accusing virtually the Government of encouraging the illegal export of tobacco from Gibraltar and at the time I reminded him that in all the years of attack and vilification that Gibraltar has endured from our neighbours, it was the first time in Gibraltar's history that a Member of this House had actually taken up cudgels on behalf of our neighbours. The position of the Government of Gibraltar is that in order to kill any such accusations

of us encouraging our young people to go into this business we have actually done what was suggested by Her Majesty's Government should be done, so that HMG could defend its position internationally, which is to say that nobody is being encouraged to do this by creating special facilities. In the absence of any special facilities, the Government is not in a position, and does not believe it has the right, to intervene in the normal process of trade which is done within the Laws of Gibraltar and where goods are bought in Gibraltar, legally, and after paying duty. If there is a problem arising out of this then it is a problem that the Government will have to address. But it is not the only problem that the Government has to address because there may be other problems in other areas involving other activities that the Government may have to address. Therefore I cannot accept that the Member opposite should be trying to impute in the way that he phrases his question that the Government believes that this is what everyone in Gibraltar should be doing and that we are arranging training courses for this.

HON P C MONTEGRIFFO:

No, Mr Speaker, what I am suggesting is what the Hon the Chief Minister has confirmed that he considers what we are talking about as just another example of normal trade from Gibraltar. If that is the Hon the Chief Minister's view I would like it confirmed. For the record I would like to state that we differ and that I do not consider activities of this nature, undertaken by young people, in the circumstances that we are taking to be normal and, I would say, healthy trade for Gibraltar.

HON CHIEF MINISTER:

Mr Speaker, on whether it is healthy or unhealthy, my understanding is that it is more healthy to carry it than to smoke it actually. However, that is not an issue for which the Government has a responsibility as a Government. The Government has a responsibility for upholding the law and the law is being upheld. If the Hon Member opposite wants to commit his Party to preventing this, and there is a very simple way of preventing it, either we ban the imports of the stuff or we raise the duty on it to make it more expensive in Gibraltar than in the neighbouring territory. In which case the trade would be in the opposite direction. That, Mr Speaker, is a matter which the Hon Member can include in his manifesto.

MR SPEAKER:

I think we are now labouring the point and this will be the last supplementary question.

HON P C MONTEGRIFFO:

Mr Speaker, if the Hon the Chief Minister believes that there are only two options to curb this problem, either to ban the imports of tobacco or to raise the duty, I offer myself to him to suggest a myriad of other solutions which, in a much more efficient way, would stop this socially unacceptable and dangerous side of this trade but still not making Gibraltar either a tobacco free zone or a zone where .....

MR SPEAKER:

I must remind the Hon Member that he has used almost the same words about ten times already tonight and the Hon Member has been given the same answer and he is going to get the same answer again.

HON CHIEF MINISTER:

Mr Speaker, Question Time is an opportunity for Members opposite to seek information which is supposed to be factual. The Hon Member tells me that there is a social problem. My response to him is that the Government does not have information that there is a social problem and that the Government is reviewing the position constantly, like every other position, and that, if and when, the Hon Member provides evidence of the social problem then we will take a view on it. However many times the Hon Member asks me that same question, rephrasing it in as many ways as he wishes, he will not receive any other answer than my original answer to the original question.

MR SPEAKER:

Next question.

THE HON P C MONTEGRIFFO

How much revenue does the Government project it will be receiving from the sale of tobacco in Gibraltar in the year 1990/91?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the Government is not planning to sell tobacco in 1990/91 and is not projecting receiving revenue from any such sales.

SUPPLEMENTARY TO QUESTION NO. 145 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, if the Government thinks that it is such a profitable venture of normal trade perhaps the Government is considering entering into a Joint Venture. Does the Government know how much revenue it will be receiving in duty on the sales being effected?

HON CHIEF MINISTER:

Mr Speaker, as I have already explained, the wayleave which was used in respect of re-exports has been brought into line with the normal import duty for domestic sales. Import duty therefore on the same volume is expected to be eight times what it was before because that is the level by which it was raised. Since the level has now been brought into line with the duty paid in the domestic market, the figures are expected to reflect this. The Government does not publish information on the amounts of duty from each different product. It is not expected to be in Gibraltar's interest to do so.

HON P C MONTEGRIFFO:

May I ask the Hon the Chief Minister, Mr Speaker, why in this case it should not be in Gibraltar's interest to publish to this House details of how much revenue the Government is receiving from tobacco sales?

HON CHIEF MINISTER:

Mr Speaker, I have already informed the Hon Member that we do not publish such information.

HON P C MONTEGRIFFO:

But the Hon the Chief Minister knows how much? Why does he not do so in this case?

HON CHIEF MINISTER:

The Government is not prepared to do so, Mr Speaker.

HON P C MONTEGRIFFO:

Then, Mr Speaker, the Hon the Chief Minister is not prepared to give figures on the duty received from the sale of tobacco or anything else for that matter?

HON CHIEF MINISTER:

Mr Speaker, it is not that the Government is not prepared in this case because the Hon Member opposite is asking this question. I have already said that the Government does not publish, has never published and does not intend to publish the yield of import duty from tobacco, radio transmitters or Scotch whisky or anything else which can only serve for somebody else to say that we are a bunch of contrabandists selling watches or anything else across the frontier. I find it odd, Mr Speaker, that I should have to explain to the Hon Member opposite, who is supposed to be elected to this House to protect Gibraltar's interests, why it is not in Gibraltar's interest.

MR SPEAKER:

Next question.



NO. 146 OF 1990

ORAL

THE HON P C MONTEGRIFFO

What is the latest position in relation to the case being brought in the European Court by or on behalf of Government and when does it expect the matter will be heard in Court?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the position of the case is that the Court has yet to fix a date for considering the preliminary hearing on admissibility. We understand from our lawyers in Brussels that the delay is normal but as yet there is no firm indication of the date of the hearing.

SUPPLEMENTARY TO QUESTION NO. 146 OF 1990

HON P C MONTEGRIFFO:

Mr Speaker, has there been an amendment to the proceedings to introduce the Gibraltar Development Corporation as plaintiff or as the applicant? Or is the Gibraltar Development Corporation's role as a potential litigant confined to a further case which may be brought against our exclusion from other Directives?

HON CHIEF MINISTER:

To a further case, Mr Speaker, because when the original case was started in the Courts the Gibraltar Development Corporation was not in existence.

HON P C MONTEGRIFFO:

So, Mr Speaker, the arguments that the Gibraltar Development Corporation may strengthen Gibraltar's case will not, in fact, apply to the case pending because it is, in fact, in the Gibraltar Government's name?

HON CHIEF MINISTER:

No such argument, as the Hon Member has described, has ever been used.

HON P C MONTEGRIFFO:

Mr Speaker, is it not the case that the Government has said that an action by the Gibraltar Development Corporation would have more chance of success, on the basis that it could be demonstrated that a commercial entity has a proper interest in the matter, than a case brought by the Gibraltar Government?

HON CHIEF MINISTER:

That is correct, Mr Speaker.

HON P C MONTEGRIFFO:

If that is the case, Mr Speaker, it must logically be the case that the reverse is also true. That if the case is being brought by the Gibraltar Government it stands less of a chance and therefore more complicated or lessens those chances to a greater extent?

HON CHIEF MINISTER:

No, Mr Speaker. The position is that the Gibraltar Development Corporation is, as the Hon Member has said, in a better position according to the advise that we have but it was never the intention that it should take over the existing case started by the Government.

HON P C MONTEGRIFFO:

Does the Hon the Chief Minister have an indication of when it is envisaged that the question of admissibility will be heard? What timescale are we talking about, Mr Speaker?

HON CHIEF MINISTER:

No, Mr Speaker, we do not have an indication, as I have said in my original answer. All that we are assured, by our lawyers is that the speed at which it is progressing or not progressing, whichever way one wants to look at it, is in fact the normal rate of progress in the Court.

HON P C MONTEGRIFFO:

There is therefore no political interference or no politically motivated interference by those parties that are affected or have an interest in the matter in delaying the proceedings coming before the Court?

HON CHIEF MINISTER:

On the assumption that the Courts in Europe enjoy the same degree of independence that the judiciary does in the British system, the Hon Member must professionally know that that cannot be true.

HON P C MONTEGRIFFO:

Mr Speaker, the Hon Member will know that professionally if I wish to delay a case without having to bribe the Judge I can delay it because there are ways of doing so. What I am asking is that without suggesting a conspiracy by the Courts to delay it, is there any evidence that the other interested parties are keen to delay the process rather than have a determination sooner rather than later?

HON CHIEF MINISTER:

Mr Speaker, I have already answered that in my original answer. I have said: "We understand from our lawyers in Brussels that the delay is normal". It follows from that that they do not believe that any of his suggestions are happening. I however do not know if our lawyers have also been got at.

MR SPEAKER:

Next question.

THE HON P C MONTEGRIFFO

What are the details of the application for EEC funds which has been made on behalf of Gibraltar and when can it be expected the matter will be decided?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, Members will recall that in 1988 when our Government was elected, GSL was in a situation where on the advice of the Attorney-General at the time, the Gibraltar Government had been told that it could not provide a subsidy to meet the yard's losses because this was prohibited by the EC Directive on competition and subventions to shipbuilding and shiprepairing industries in the Community.

It was clear that the yard would have to close unless support could be given or a restructure to reduce capacity undertaken. As part of the programme of making the yard viable, the Government undertook a rationalisation of the activities of the shipyard involving capacity reduction and a contraction of the workforce engaged in shiprepairing activities by transferring them to other companies created for the purpose and engaged in non-shiprepairing work. Based on this structural adjustment programme a case was produced and submitted to the EC in May, 1989.

The case described the transformation that had taken place in the level of operations in the shipyard since 1984 and demonstrated that a large reduction in capacity was being implemented and would be finally in place this year.

In July this year our case was considered but failed to meet the requirement that the reduction in capacity had to involve at least 1000 jobs in shiprepairing. Obviously, since the shipyard in Gibraltar only employed some 800 workers to start with, it was impossible to meet this requirement.

When I met Commissioner Bruce Milan I was told that our case had been well documented and presented and they felt that it was unfortunate that no discretion existed to deal with it for the reasons I have explained.

The Government felt encouraged by this response to try again for EEC assistance under a different proviso of the EEC programme.

The new application that has now been made is under Regulation 4254/88 concerned with structural funds for a number of objectives, in this case the creation and maintaining of employment opportunities by the provision of workshop facilities.

2.

To be successful under the particular Article of the Regulation the application has to show innovative content and the quality of creating experience which may be of application to other parts of the European Community with similar problems or symptoms.

It is well understood in Brussels amongst staff of the European Commission, that Gibraltar represents a microcosm of many of the fundamental problems facing the Community and that it can provide an environment of substantial interest in which to conduct pilot projects of this kind. Our application was prepared in Gibraltar with combined public and private resources and has been made in the name of the Government of Gibraltar. So far I understand that it has been well received in the Commission and I am optimistic that we can expect a decision before the end of this year.

SUPPLEMENTARY TO QUESTION NO. 147 OF 1990

HON P C MONTEGRIFFO:

I am grateful for that explanation, Mr Speaker. The Hon Chief Minister mentioned workshop facilities. Could he elaborate a little more extensively as to what that would actually entail?

HON CHIEF MINISTER:

Well, Mr Speaker, it is not something that I can, frankly, easily do because we, the Government, have been involved in the policy and in the political role of taking the matter up with the Commission. However, the exact nature of the element of it being innovative, which is an element of the fact that the building is being used to house workshop facilities, the Construction Training Centre and a Generating Station which is providing wholesale electricity supplies to the Government, is that an old structure is being developed for new uses and that there is an input of transfer of knowledge and skills from other members of the Community, including, for example, the AMU Construction Course which is housed in that building. It is that element, which is a multiple use facility out of our existing building and which preserves the structure of the building but puts it to new uses which is concerned with creating new skills and employment and with transferring knowledge from one Member State to another Member State, which has been the main argument in the submission.

HON P C MONTEGRIFFO:

Mr Speaker, other than matters of transfer of knowledge and probably technical expertise which may be involved as well, is the Hon the Chief Minister able to disclose the value of any capital assistance which the programme may or may not involve? I am not sure if it does involve that aspect.

HON CHIEF MINISTER:

Mr Speaker, I would rather not put a figure because we have already, as I have explained earlier, submitted a previous application and there were various optimistic noises being made about it because these applications were made to the Community via the UK through the Department of Trade and Industry, because they all felt that we stood a good chance of getting a fair amount of money for a community of our size. We are not talking about hundreds of millions of ECU's, but when the crunch came it was rejected. So I would prefer, frankly, to see what answer we get before saying anything ourselves.

MR SPEAKER:

Next question.

THE HON K B ANTHONY

Will Government make a statement on the progress being made towards finding a solution to break the deadlock of the problem of the small number of Indian children living on the Rock who do not have residential permits?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, when members of the Indian community recently made representations to me on this matter, I agreed to look into it and to take the matter up with His Excellency the Governor. The Government has refrained from making any public statements on this issue because it believes it is too serious an issue to be allowed to become a political gimmick as the AACR has tried to do. I particularly condemn their statement of 10th September when they stated, and I quote: "At the beginning of the summer the Government had to do a U-turn in respect of the Indian children whom they were going to deport". This statement alleged that a political decision had been taken to stop the visitors' permits of these children and that this decision had been revoked. This is totally false.

The children in question, whose appeal was turned down by His Excellency the Governor earlier this year, had been refused a permit of residence based on a policy decision taken in 1987 at the time of the AACR administration. The first of these cases was that of Jason Jaswani then 2½ years old. The permit was refused on 25th November, 1987, and the applicant informed that the renewal on the expiry date of 20th February, 1988, would not take place and that the right of appeal existed. The Immigration authorities adopted a similar procedure in all subsequent cases. The appeals in all these cases were placed before His Excellency earlier this year and nine cases were rejected and it was decided that further consideration was to be given to the others. The nine cases in question were those involving arrivals with a six months visitors permit since 1988.

In looking back on previous decisions it has emerged that no child previously on a visitors' permit has ever been given a residence permit on appeal and the procedure followed did not stem from any new policy introduced by my Government.

I asked His Excellency for the matter to be reviewed with a full examination of the extent of the problem. This is being done but those affected continue to be in Gibraltar on temporary residence permits. Meanwhile a report prepared by the Police Department shows that the Principal Immigration Officer has been requesting a policy decision since 1970 and never received any replies or indication that the matter was

being tackled until this year when the review has been instigated by my Government. As a consequence it has come to light that the oldest case pending a decision and still on a monthly visitors' permit dates from 12th February, 1971, and the most recent case from 19th March, 1990. A large number of recent cases involve Indian families who arrived in Gibraltar as visitors and in breach of their conditions of entry have attempted to set themselves up in business, or to seek employment.

The number of families who have arrived between March and September this year are thirty-two and action is being taken to ensure that they do not overstay their six months visitors' permit or attempt to undertake economic activities in breach of their conditions of entry. The Government cannot look at a few limited cases in isolation but must seek to develop in consultation with Her Majesty's Government, who has the ultimate constitutional say in these matters, rules on immigration which are clear and capable of implementation.

SUPPLEMENTARY TO QUESTION NO. 148 OF 1990

HON A J CANEPA:

Mr Speaker, may I remind the House that in 1970 or 1971 the AACR was not in office. In fact, none of the present Members of this House, with the exception of the Hon Mr Featherstone, belonged to the House of Assembly then.

HON CHIEF MINISTER:

Well, Mr Speaker, may I thank the Hon Member for that information but he inherited the problem in 1972 and he had sixteen years to put it right. He however passed it on to us unchanged!

HON K B ANTHONY:

Mr Speaker, I assure the Hon the Chief Minister that I am not raising this matter as a political gimmick. I raise it for two reasons. One is the social reason that these families with these children are in a worse social position with regard to travelling than any Gibraltarian was during the sixteen years that the frontier was closed. They cannot leave Gibraltar with their children to the neighbouring country or the UK or wherever for fear that they will not be allowed back into Gibraltar. The second reason, Mr Speaker, is a financial one. The children of these few families have to be educated and at the moment they have to pay for their children's education. They are paying the sum of £380 per term. At least that is my information and perhaps the Hon the Minister for Education can confirm that.



HON CHIEF MINISTER:

What is the question, Mr Speaker?

HON K B ANTHONY:

Mr Speaker, I am trying to explain the situation before putting my question to the Hon the Chief Minister. Mr Speaker, a child of 4½ years is paying this sum, or his parents are paying, for half a day education and I think that this is a very high figure indeed. My question is very simple, Mr Speaker. Will the Hon the Chief Minister, knowing these facts, do his utmost to try and get a speedy decision in order that these families and children can have the social and the financial burden lifted as soon as possible?

HON CHIEF MINISTER:

Mr Speaker, the Hon Member's facts are incorrect. I have already said in my original answer that the nine children whose visitors' permits were not converted into residence permits by His Excellency the Governor, on appeal, were all children who had arrived here since 1988. In one case the entire family arrived as visitors. To my knowledge there is nowhere in Europe, and for all I know it is not the case in India, that one can actually go on a holiday, obtain a visa allowing a six months stay, as a holidaymaker, with one's entire family and then buy a sweetshop and ask for a residence permit because one is a company director. That, Mr Speaker, is what has been happening. It is not a question of just a few, it is a question of thirty-two new ones in the last six months. That is what I have already stated in my original answer. Mr Speaker, it is meaningless to have a situation where somebody requests a visa to visit Gibraltar, in order to visit relatives here, then get a permit that says: "This permit is on condition that you do not take up business and that you do not seek employment". They then take up a business and seek employment, which is a breach of the condition under which the permit was issued and appeal against the decision that the permit has expired. I have had the Immigration Authorities produce for me a very comprehensive report that deals with every single case. As I mentioned in my original answer, Mr Speaker, the oldest case still waiting on a temporary monthly permit has been waiting for nineteen years. I do not think that we can treat the person who has been waiting for nineteen years to have confirmed whether he can stay or not in the same manner as a person who arrived in March this year with six months that expired in September. It is in the light of wanting to be fair but not being able to allow a loophole to exist in our Immigration and Employment Laws that we are looking at the situation. This is why we believe that it requires a comprehensive review of all the people affected and then come up with a policy and with rules which are public and people know where they stand.

HON K B ANTHONY:

Mr Speaker, may I thank the Hon the Chief Minister for that answer. Does he however anticipate that there will be a solution in the near or middle term future?

HON CHIEF MINISTER:

Well, Mr Speaker, we certainly hope to take less than it has taken so far which from our knowledge is twenty years.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Will Government say what steps it intends to take to safeguard the interests of Gibraltar in general and those of the Finance Centre in particular, in view of the draft proposals shortly to be considered by the Spanish Parliament which, if implemented, would mean a 5% tax on the rateable value of properties in Spain owned by non-resident companies?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the Gibraltar Government is not in a position to influence what taxes the Government of the Kingdom of Spain, or indeed any other country chooses to introduce within its territory. The suggested tax of which there is no official information, is something which cannot be introduced exclusively for Gibraltar based companies. The Government has taken the necessary action to protect Gibraltar against the possibility of discriminatory treatment by taking up the matter with Her Majesty's Government as has already been stated publicly when the matter was first reported in the Spanish media several months ago.

SUPPLEMENTARY TO QUESTION NO. 149 OF 1990

HON LT-COL E M BRITTO:

Mr Speaker, whilst accepting that discriminatory legislation cannot be taken against Gibraltar by Spain, is it not, in fact, what is intended to discriminate against other centres like the Channel Islands, for example, but who will not be as affected as Gibraltar, and the business concerned will be channelled to places which have a dual taxation treaty with Spain. Is that not the case?

HON CHIEF MINISTER:

I believe, Mr Speaker, that that report was not entirely accurate and that, in fact, there are no double taxation agreements with off-shore centres and Spain. In any case, most of what has been said is hearsay because we do not know yet what is going to be the exact nature of the tax or the conditions attached to it. However, the way that the matter is being debated in Spain, where there has been a certain amount of opposition from people who dissented, not because it harms Gibraltar, but because it will harm Spain and make Spain less attractive as a place for investment. It appears that the administration is defending the policy as a way of

tracking down possible vehicles used for laundering money and are saying that the tax can, in fact, be avoided even by an off-shore centre and even in the absence of a double taxation agreement if the beneficial owners are prepared to reveal their identity to the authorities.

HON LT-COL E M BRITTO:

Which I understand, Mr Speaker, is not always what the beneficiaries want to do. I am content with the Chief Minister's answer that the matter is under review and being monitored.

MR SPEAKER:

Next question.

23.10.90

NO. 150 OF 1990

ORAL

THE HON A J CANEPA

Does the Government intend to introduce the European Passport and, if so, when?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the Government is not aware that a decision has been taken on a European Passport. A proposal has been put forward by Spain, as a Member State, and this is at a very early stage of consideration.

THE HON A J CANEPA

Will the Government say whether it is aware of any intention to remove or change the physical characteristics of the frontier fence?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the Government is aware that the replacement and /or repair of the frontier fence has been under consideration for some time but no final decision has been taken on this matter.

SUPPLEMENTARY TO QUESTION NO. 151 OF 1990

HON A J CANEPA:

Is the Chief Minister aware, Mr Speaker, whether it was under consideration prior to reference to that being made by Sir Geoffrey Howe?

HON CHIEF MINISTER:

To my knowledge yes, Mr Speaker, it has been, from a military point of view. The need to do some work on the fence has been under discussion for several years, certainly as I understand it, before 1988 and although it has been brought to my attention in my normal discussion with His Excellency the Governor, there is no imminent decision on how it is going to be dealt with.

HON J C PEREZ:

Mr Speaker, I think Members will recall press cuttings, when the Hon Member opposite was in Government, of my colleague the Hon Chief Minister suggesting that Felipe Gonzalez should come and plant carnations at the frontier.

HON CHIEF MINISTER:

Geraniums.

HON J C PEREZ:

Geraniums, that was it, Mr Speaker. So the issue was gone into at the time, if I recall from the press, of the first meeting following from the Brussels Agreement.

MR SPEAKER:

Next question.

THE HON A J CANEPA

Does the Chief Minister have any plans to visit London in order to keep Members of Parliament informed about matters concerning Gibraltar?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, I have no specific plans to visit London for this purpose but I will take every opportunity to maintain contact with Members of Parliament whenever I am in London on Government business.

SUPPLEMENTARY TO QUESTION NO. 152 OF 1990

HON A J CANEPA:

Sir, in view of the relative inactivity of the British/Gibraltar Group, does the Hon Chief Minister not agree that he ought to go beyond the Members of the Group by perhaps using his contacts with the Labour Party in order to reach a larger number of Members of Parliament?

HON CHIEF MINISTER:

Quite often, Mr Speaker, the Members that I do meet when I am in London are not members of the Group. They are Members that I meet because of other contacts, for example, we are planning in the not too distant future a presentation and a Seminar in Lancashire, where we have close links with the Lancashire County Council, and there we expect to have an opportunity to involve the local MPs. People who have no previous contact with us.

HON A J CANEPA:

Mr Speaker, I am sure, because you were there, to confirm the fact that a great deal of interest was shown in Gibraltar by British Members of Parliament who attended the CPA Conference in Zimbabwe. I would therefore ask the Hon the Chief Minister, will he try to arrange for follow-up action to be taken, particularly in order to keep those younger Members of Parliament who were in Zimbabwe, to keep them informed about Gibraltar? Perhaps some literature could be sent?

HON CHIEF MINISTER:

Mr Speaker, the Government believes, as the Leader of the Opposition does, that maintaining such contacts are very important as part of keeping a lobby in the Houses of Parliament committed to Gibraltar's cause. Therefore I would be quite happy to do as he suggests or even to invite any group he might suggest to visit Gibraltar.

HON A J CANEPA:

I thank the Hon the Chief Minister for that answer, Mr Speaker.