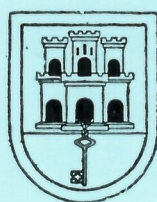


GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

26TH MARCH, 1991

NO. 1 TO NO. 40

NO. 1 OF 1991

ORAL

THE HON M K FEATHERSTONE

What is the pupil/teacher ratio at Bishop Fitzgerald School and how does this compare with other Middle Schools?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE AND YOUTH AFFAIRS

Mr Speaker, the pupil/teacher ratio at Bishop Fitzgerald School in 1990 was 20.73 pupils per teacher.

The pupil/teacher ratio at other Middle Schools was as follows:

St Anne's	16.81	pupils per teacher
St Joseph's	17.08	pupils per teacher
Sacred Heart	19.65	pupils per teacher

SUPPLEMENTARY TO QUESTION NO.1 OF 1991

HON M K FEATHERSTONE:

Sir, is the Hon Minister aware that in one of the classes at Bishop Fitzgerald School the pupil/teacher ratio is over 30?

HON J L MOSS:

Mr Speaker, that is as maybe and that is definitely possible because it is one of the peculiarities that could happen in one particular class in one particular year. However as the Hon Member can see from the overall ratio there is certainly no reason to be alarmed by the numbers at Bishop Fitzgerald School at the moment.

HON M K FEATHERSTONE:

Mr Speaker, is the Hon Minister going to do anything to reduce this ratio of 30 appertaining at the moment?

HON J L MOSS:

Let me put it this way, Mr Speaker. So far I have had no complaints from parents, teachers or Head teacher or any representations of any kind either to the Department or from the Department. If it is brought to my knowledge, officially, then we will look and see what we can do.

HON M K FEATHERSTONE:

Mr Speaker, I will see to it that the Hon Member receives complaints in due course.

HON J L MOSS:

Thank you, Mr Speaker.

HON LT-COL E M BRITTO:

Mr Speaker, whilst not doubting for one moment what the Hon Minister has said, I am surprised because my understanding is that the School has requested the Department of Education to try to reduce this year's intake in order to correct the state of affairs which exist. Maybe, Mr Speaker, the Hon Minister could investigate whether this is true?

HON J L MOSS:

Mr Speaker, the Hon Member is very easily surprised but I have not been informed of this before and I hope that the Hon Member will accept what I am saying is a fact and that I am not playing games. I would like to take Hon Members in that side of the House back a few years, although I realise that the Hon Lt-Col Britto was not a Member of the House then, but it was his Government's inability to build an extension at St Anne's School, which is, in fact, the subject of another question, that led to children from Varyl Begg having to be sent to Bishop Fitzgerald School and which meant that it became slightly more overcrowded than other schools. That, Mr Speaker, is just a piece of history which the Hon Member may be interested in.

HON A J CANEPA:

Mr Speaker, will the Hon Minister look into the matter regardless of whether he receives representations and ascertain what other reasons there are for what appears to be an imbalance. There could well be, Mr Speaker, some peculiarity in the catchment area or what have you. If the Hon Minister cannot do anything for this year perhaps arrangements could be made so as not to have a repetition. From an educational point of view it is highly undesirable that teachers should have to teach classes of this size.

HON J L MOSS:

Mr Speaker, I accept the Hon Leader of the Opposition's remarks and will take this Question as a representation and will look into the matter and then inform the Opposition of my findings.

26 3 91

NO. 2 OF 1991

ORAL

THE HON M K FEATHERSTONE

Will the Government confirm that it is going to build an extension to St Anne's School and at what cost?

ANSWER

THE HON THE MINISTER FOR EDUCATION, CULTURE AND YOUTH AFFAIRS

Mr Speaker, the extension to St Anne's School is being looked at in the context of the proposed development of Phase II of Marina Bay.

In discussions with the Government and in an attempt to carrying out a general tidying up from a Land Management point of view of the area, the Developer has agreed to Government's proposal to build an extension to St Anne's School.

However, the whole package depends on the Developer being able to finally agree with the Committee of the Mediterranean Rowing Club on the reprovisioning requirements.

As the House is already aware a new site on reclaimed land has been allocated by Government to the Mediterranean Rowing Club for that purpose.

SUPPLEMENTARY TO QUESTION NO.2 OF 1991

HON M K FEATHERSTONE:

Mr Speaker, will the Hon Minister accept that this extension is long overdue and that its need is causing considerable difficulty to St Anne's School.

HON J L MOSS:

Mr Speaker, I accept that the extension is long overdue and it was long overdue in 1988 when we came into office.

HON M K FEATHERSTONE:

I will remind the Hon Minister, Mr Speaker, that it was part of the new plan had we been returned to Government to build this extension in 1988.

HON J L MOSS:

I would remind the Hon Member, Mr Speaker, that the plans prepared by the previous administration are not very credible.

THE HON LT-COL E M BRITTO

Will Government say when was the last time that allowances for the disabled were increased and whether it has any plans for further increases?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, there are no allowances for the disabled as such under our scheme. If the Hon Member is referring to a Disablement Pension, this has been increased by 30% during our time in office and is subject to review when necessary.

SUPPLEMENTARY TO QUESTION NO.3 OF 1991

HON LT-COL E M BRITTO:

Mr Speaker, may the Hon Minister repeat the figure, please.

HON R MOR:

Mr Speaker, this has been increased by 30% during our time in office and is subject to review when necessary.

HON LT-COL E M BRITTO:

Mr Speaker, what is the amount of the allowance at present?

HON R MOR:

Mr Speaker, the amount is dependent on the degree of disability. It ranges from £20.10 to £56.70 per week.

HON LT-COL E M BRITTO:

Mr Speaker, referring to the second part of my question. Does the Government have any plans for further increases and, if so, when?

HON R MOR:

The answer to that part of the question was "is subject to review when necessary".

HON LT-COL E M BRITTO:

Mr Speaker, the Hon Minister is aware that the Society for the Handicapped have made representations recently on the question of allowances and have suggested certain detailed proposals. Are these proposals being considered

favourably and is there any indication that Government will move towards the practice of other European Countries where a number of different allowances for varying degrees of disablement and where a disabled person can get one or more of these allowances?

HON R MOR:

Mr Speaker, I have the envelope here from the Society and I have not yet opened it. We are in fact considering the whole question of allowances for handicapped and disabled persons. Once we have carried out this review we will make it public.

HON LT-COL E M BRITTO:

Mr Speaker, it seems that this Government does not move as fast as it would like us to believe! I have received the letter this morning and I have already read and digested it.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Publication of the October 1989 Employment Survey, being tabled at this meeting of the House, is abnormally delayed. Will Government explain the reasons for this delay and say when the April 1990 Survey will be available?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, as I explained in answer to Question No.50 of 1990, the Statistics Office have had problems with their computer ware since 1988. This led to the reversion to a manual system once again and this has had repercussions leading to the current situation. It is expected that the April 1990 Survey will be tabled at the next meeting of the House.

SUPPLEMENTARY TO QUESTION NO.4 OF 1991

HON LT-COL E M BRITTO:

Mr Speaker, I thank the Hon Minister for that information which will return the situation to that which we have had in the past, of about 9 to 12 months delay on surveys.

NO. 5 OF 1991

ORAL

THE HON LT-COL E M BRITTO

Will Government make a statement regarding the future of Mount Alvernia?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, the position regarding Mount Alvernia is as explained during the course of the motion previously debated in this House. As was stated at the time, regular consultations take place between the Government and the Board of Governors of the Home and this has led to an increase in subvention of £35,000 for this current financial year and a commitment to increase the subvention by a further £40,000 in the next financial year. This will produce a subvention of about £300,000, which if compared with the subvention of £180,000 for 1988, represents an increase of over 66% during our time in office.

The Government is also considering, in consultation with the Board of Governors, ways in which other forms of revenue can be provided.

SUPPLEMENTARY TO QUESTION NO.5 OF 1991

HON LT-COL E M BRITTO:

We are grateful, Mr Speaker, for the Government's commitment to further increase the subvention in the coming financial year. This will obviously, Mr Speaker, be of reassurance to the Management Board of Mount Alvernia. On the staffing side, Mr Speaker, is the Government in a position to give this House any indication whether, with the now total disappearance of the nuns, the situation is satisfactory, and if it is not, if there are any plans to improve the situation?

HON R MOR:

Mr Speaker, the Government is not directly involved in the staffing of Mount Alvernia. That is something for the Board of Governors to decide.

HON LT-COL E M BRITTO:

Mr Speaker, I appreciate that the Government does not have direct responsibility for running Mount Alvernia. My question was for a reassurance, that as I am certain that they are keeping tabs on the situation, in view of the large amount of money that they are putting into the

Home, equally they certainly must have, certainly a moral, if not a political interest, in ensuring that the situation is satisfactory for the benefit of our senior citizens. In that light, Mr Speaker, I ask whether the Government is satisfied that if there was any difficulty in the immediate aftermath of the nuns departure? And if so, whether any improvements have been effected or are being effected?

HON R MOR:

Mr Speaker, as I have just said staffing levels are decided by the Board of Management and not by the Government. There are however regular consultations with the Board of Governors and any problems that are pointed out to us we try and see how they may be resolved.

MR SPEAKER:

Next question.

NO.6 OF 1991

ORAL

THE HON DR R G VALARINO

Mr Speaker, I wish the Hon Minister a speedy and full recovery from her operation and I will try and be as brief as possible so as not to tax her unduly. How much was the total contribution to the Group Practice Medical Scheme from insurance cards for the year 1990 and what is the estimate for 1991?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, the figures for 1990 are in the process of being computed. As soon as they are completed I will make them available to the Hon Member. It is difficult to forecast accurately the figure for 1991 for a number of reasons, ie because of variations of the number of the insured population during the course of any particular year and payments from employers lapsing from one year to the next.

26 3 91

NO. 7 OF 1991

ORAL

THE HON DR R G VALARINO

How many patients were sent to UK for treatment during the period 1st April, 1990, up to the present date and at what cost?

ANSWER

THE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, the number of patients sent to the UK for treatment from April 1990 to February 1991 was 237. The number of new patients was 148. The amount of money spent on patients sponsored to the UK in this financial year up to the end of February was £593,045.02p.

SUPPLEMENTARY TO QUESTION NO.7 OF 1991

HON DR R G VALARINO:

Thank you, Mr Speaker. I take it that the cost just quoted includes passages, allowances and other transport costs. Has the levels of these maintenance allowance been increased to take into account inflation in the last year?

HON MISS M I MONTEGRIFFO:

Mr Speaker, as I said earlier in answer to another question the allowances were increased and this is part of the reason why there has been an increase in the figure which I have just given.

MR SPEAKER:

Next question.

NO. 8 OF 1991

ORAL

THE HON DR R G VALARINO

Will Government state whether a new Consultant Gynaecologist has been appointed at St Bernard's Hospital?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

No, Mr Speaker, no appointment has yet been made to the post of Consultant Obstetrician and Gynaecologist but quite a number of applications have been received for the post and the Health Authority has already shortlisted a number of suitable candidates.

SUPPLEMENTARY TO QUESTION NO.8 OF 1991

HON DR R G VALARINO:

Thank you, Mr Speaker. Will the Hon Minister hazard a guess as to when this appointment will take place? How long before a definite appointment is made? Is it a matter of weeks or months?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I would not like to pin point a definite date but I can assure the Hon Member that I and the Health Authority are very conscious of the need to appoint a Gynaecologist and I hope that very shortly one will be appointed.

HON DR R G VALARINO:

Mr Speaker, one last question. How long ago did the Authority decide not to renew the past Gynaecologist's appointment?

HON MISS M I MONTEGRIFFO:

It is not a matter of how long ago, Mr Speaker. All contracts are looked at by the Personnel Manager's Department in conjunction with the Government and as I have said before in this House it is the prerogative of the Government whether to renew a contract or not.

MR SPEAKER:

Next question.

NO.9 OF 1991

ORAL

THE HON DR R G VALARINO

Will the Minister for Medical Services make a comprehensive statement on the state of the Ambulance Service?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, the Ambulance Service is operated by the Gibraltar Police with a fleet of three ambulances.

One ambulance is manned 24 hours per day with a two man crew and one is crewed by two officers for transfers during working hours. The third ambulance is used as a spare whilst another is in for service.

The level of emergency calls have not increased very much, being 1644 in 1989 and 1688 in 1990. The number of transfers, however, has increased substantially from 1291 in 1989 to 2335 in 1990. Most of these transfers (616 in 1990) were home transfers to or from St Bernard's Hospital. Other transfers are to or from Mount Alvernia, the Jewish Home, KGV, Health Centre, Airport and Royal Naval Hospital.

The vehicles are in good condition. One was acquired in 1987 and the other two in 1989.

The Ambulance Service is working satisfactorily.

SUPPLEMENTARY TO QUESTION NO.9 OF 1991

HON DR R G VALARINO:

Mr Speaker, I thank the Hon Minister for that answer. Is the Hon Minister satisfied that the life saving equipment in these ambulances are up to UK standards? Do they have life resuscitation equipment on board?

HON MISS M I MONTEGRIFFO:

I believe so Mr Speaker. I have been informed that there is a good liaison between the Police and the Health Authority and they exchange views on the sort of equipment that is required. I am therefore satisfied of the equipment available.

HON DR R G VALARINO:

Finally, Mr Speaker, does the Government intend to continue the present system whereby the Police are running the Ambulance Service?

2.

HON MISS M I MONTEGRIFFO:

Mr Speaker, at the moment the policy continues to be the same.

MR SPEAKER:

Next question.

NO. 10 OF 1991

ORAL

THE HON DR R G VALARINO

Will the Minister for Medical Services enumerate what minor works are at present being carried out at St Bernard's Hospital and what minor works are being planned for the near future?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, at this precise moment in time, the complete refurbishment of Victoria Ward has just been completed and work is currently proceeding with the reflooring of all the corridors.

I am not in a position to state what is being planned for the next twelve months as this will be reflected in my contribution when the estimates for 1991/92 are presented to the House.

SUPPLEMENTARY TO QUESTION NO. 10 OF 1991

HON DR R G VALARINO:

Mr Speaker, has the Hon Minister any idea of the amount that has been spent on Minor Works during the present financial year in St Bernard's Hospital?

HON MISS M I MONTEGRIFFO:

Yes, Mr Speaker, but I would rather leave that answer for when I make my contribution to the Estimate Debate.

MR SPEAKER:

Next question.

NO. 11 OF 1991

ORAL

THE HON DR R G VALARINO

Will Government state what minor works have been carried out at KGV Psychiatric Wing since my motion last year on the state of the building and its amenities?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, work carried out at KGV only during recent months has included the complete refurbishment of the Long Stay male bathroom, including a new heavy duty boiler and medibath, with provision also, of small laundry facilities, the completion of the Occupational Therapy Department and workshop, the replacement of damaged window panes, and other repair jobs to patient and staff areas, roof repairs, and the complete replacement of the outgoing sewage system on which work is still in progress. These works were already planned prior to the motion last year, and more are planned for the future.

This Mr Speaker, is proof of my Government's continued commitment to upgrade the standard of our Medical Services.

NO. 12 OF 1991

ORAL

THE HON DR R G VALARINO

Will the Minister for Medical Services ensure that entrances to St Bernard's Hospital by Castle Road and the original entrance to the Hospital are re-opened during visiting hours in order to enable elderly relatives and friends of those in Hospital to have easier access to the wards?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, the entrance to St Bernard's by Castle Road was closed for security reasons and it was re-opened regularly at visiting times, a couple of weeks ago. The other entrance that is open is the main hospital entrance at the Porter's Lodge.

SUPPLEMENTARY TO QUESTION NO.12 OF 1991

HON DR R G VALARINO:

Mr Speaker, on a personal note, in fact, last weekend I went to visit my mother who is at Louis Stagnetto Ward. On both occasions, both the upstairs doors were locked and so was the old entrance to the Hospital so it could well be that this was just an unlucky day for me. But certainly on those two days they were locked and I trust that in future the Minister will see fit to be able to open these doors, not her personally, but she will instruct other people because there are a lot of older relatives and friends who like to visit people in Hospital and this will make it easier for them.

HON MISS M I MONTEGRIFFO:

Mr Speaker, I can assure the Honourable Member that as I said before they were closed for security reasons. They have been opened since only a couple of weeks ago and anybody who wants to enter the Hospital through the Porter's Lodge if they are elderly people they will be given the opportunity of going up to different floors through the lift facilities that we have in the Hospital.

MR SPEAKER:

Next question.

THE HON K B ANTHONY

26 3 91

In view of the Government's commitment to make a decision about the future of GBC by the end of March, can Government now inform this House of their decision, and what are their plans to ensure the continuation of the services provided by this vital sector of our community?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, on the 14th December I made a public statement to the effect that there were four companies that had confirmed they would be making proposals for part ownership of the Gibraltar Broadcasting Corporation.

During the months of January to March three of these companies have continued to express an interest and are themselves involved in collecting data and trying to put together a package to be presented to Government. The fourth party has not been heard of again notwithstanding their expressed commitment. Those still interested have continuously advised the Government that the March deadline was restricting them considerably, particularly with the recession and the many changes taking place in Britain on television franchises.

Whilst the Government continues to express a desire that these proposals should be received by the end of March it is prepared to be flexible on the deadline if that can result in a viable proposal being received.

In the meantime the Corporation's precarious financial situation is being monitored on a monthly basis and management has been advised to plan solely on a short term basis until such time as the proposals materialise.

Were no viable proposal to materialise then, the Government would have to consider its own position on GBC given that as things stand today, were it to continue in its present form, the present subsidy would have to increase by more than 100%.

The position therefore is that although we expect proposals by the end of the month we shall not close the door to these proposals if they are late in coming. Were no proposals to materialise then the Government, in close consultation with the management and the staff would attempt to draw up proposals of its own.

SUPPLEMENTARY TO QUESTION NO. 13 OF 1991

HON K B ANTHONY:

I thank the Hon Minister for his answer, Mr Speaker, and I appreciate that with three companies still in the

pipeline, as it were, still showing an interest, has the Government set its own deadline as to how long they are prepared to go on being kept on a hook by these three companies?

HON J C PEREZ:

Well, Mr Speaker, it is not a question of being kept on a hook because if the discussions being held with these three parties are proving to be of substance and there are pending decisions that need to be taken by Boards of Directors in the United States, Britain or Luxembourg, then obviously one can understand the problems of getting through that system as quickly as the Government of Gibraltar would like to see happening. However if what is being discussed is of no basic substance then the Government would take a decision bearing in mind that in continuing with the discussions with a particular party it was wasting its time.

HON K B ANTHONY:

I would like to thank the Hon Minister for his answer, Mr Speaker but nevertheless, I think, that the Hon Minister will understand that running a Television Station on a month by month basis is a very difficult way to run an organisation?

HON J C PEREZ:

Mr Speaker, the Organisation is at the moment certainly not efficient and I do not say this as a reflection necessarily of how it is being run but it certainly is losing a lot of money and there is very little income coming in. As a result it is prudent, regardless of the advice of the Government, to run it on a short term basis because of the precarious financial situation it finds itself in today. There are some contracts which cannot be reviewed on a monthly renewable basis and these are being renewed for as short a time as possible. However at present with the difficulties being faced there is no other solution than to run everything on a short term basis and see whether any proposals materialise in the very near future.

HON K B ANTHONY:

I appreciate that answer, Mr Speaker, but nevertheless I am sure that the Hon Minister will agree that if you run the station on a short term basis all that is to GBC is that it is just coasting along on the minimum that it can have and it makes it less of an attractive possibility with some other company.

HON J C PEREZ:

Mr Speaker, it does not decrease the possibilities because the possibilities are very low. I mean whoever is

interested in GBC let me tell the Hon Member is interested in doing other television business from a base in Gibraltar and the price it will have to pay is to sustain GBC. However GBC on its own, as a proposition, is not a viable proposition.

HON K B ANTHONY:

Mr Speaker, is the Hon Minister prepared to tell the staff at GBC of what he has just informed this House because I know that the staff is very dispondent and many are expressing the fact of whether they will have a job from the 1st of April because they do not know where they stand?

HON J C PEREZ:

Mr Speaker, what I have just told the Hon Member has not given people at GBC an assurance that they will have a job. Basically I have not committed myself one way or the other. Is the Hon Member suggesting, Mr Speaker, that I commit myself and tell people at GBC that they have a job? What is the Hon Member asking me to tell the staff? I am in regular contact with the staff and they know the situation and management knows the situation that I have just explained to the Hon Member.

HON K B ANTHONY:

Mr Speaker, I am not suggesting that at all but the Government did have a commitment to come to a decision by the end of March. At least this is the understanding that the staff have at GBC and now we have been informed in this House that this is being extended on a monthly basis until such time as optimistically a solution comes up. Perhaps it would be appreciated if the staff were informed by the Hon Minister since he would be in a better position than I could to do so?

HON J C PEREZ:

They have already been informed, Mr Speaker.

HON G MASCARENHAS:

Mr Speaker, has the Government, or the Minister, set himself a new target date by which time they will take a decision?

HON J C PEREZ:

No Mr Speaker. We have not set a new target date but obviously a decision will have to be taken at some stage in the year. Now whether the Government will vote more funds in this House for the Corporation if a proposal does not materialise will have to be taken at a later stage but at the moment they will start with part of next

year's subvention or the 1991/92 subvention already used for last year. They will have therefore very little funds from the Government subvention to play with in the next financial year. There will come a stage where there are other proposals on the table which are viable and people can agree to or a decision will have to be taken by this House on whether to increase that subsidy by more than 100% or not.

HON G MASCARENHAS:

Mr Speaker, having regard to the Hon Minister's reply originally on the question of the recession, is it not possible that the recession might last longer than we expect and therefore these three possible candidates proposals might possibly never materialise? How long is the Government prepared to wait for that?

HON J C PEREZ:

Mr Speaker, I am certainly not going to give an opinion on how long the recession is going to last. I have however indicated in the question that the possibility that proposals do not materialise is there and then the Government will have to try and make proposals on its own with the staff and the management. That proposition is still there. The latest interest that has been shown by a particular party has encouraged me greatly in the last few days however that does not mean that a proposal is going to materialise from that quarter. I am however rather optimistic from the talks that have been taking place, over the last few days with a particular party that they are very keen in coming over and doing something with the Government of Gibraltar on broadcasting generally. Whether this materialises or not, one cannot say, and the Hon Member is quite right that if this recession keeps on biting some of these multinational companies, presently showing an interest, might not wish to invest further at this stage.

HON A J CANEPA:

Mr Speaker, the House would in the normal course of events have an opportunity to ask the Hon Minister to provide us with further information when the Estimates are debated and I am sure that he will undertake to do that. However if there were to be some developments in the meantime since the House will be meeting in about a month's time could the Hon Minister please make a statement if he is in a position to do so. I can understand that awaiting proposals as he is he is not able to go any further today but would he please update us on the situation if he is able to do so in a month's time. In any case would the Hon Minister try to give us as much information as possible when we get round to debating the Estimates because of the considerations he has put before us today. I am referring, of course, to the amount of money that is going to be provided for GBC in the Estimates and what might have to be provided as a supplementary to keep them going.

HON J C PEREZ:

Yes, Mr Speaker, on the question of keeping Hon Members informed certainly if something develops before the next meeting of the House I shall be making a statement at that stage. On the question of the Estimates what I might perhaps be able to produce for Hon Members, on a confidential basis is the projections of GBC for the coming year so that members can judge for themselves how precarious the financial situation is. Now, Mr Speaker, as far as the Estimates are concerned the policy will be to continue the subvention at its present level until we are able to make a decision one way or the other. If more funds were to be made available to GBC we would have to come back to this House to do that.

HON A J CANEPA:

Thank you, Mr Speaker.

HON LT-COL E M BRITTO:

Mr Speaker, one final point from what the Hon Minister has said. Is my understanding correct that at the stage that we are at with all three proposals are that they are very much proposals and not a stage where the Government is negotiating a final answer. Can the Hon Minister confirm that, Mr Speaker?

HON J C PEREZ:

Mr Speaker, there is one concrete proposal and two sets of discussions. There is as yet no Business Plan being proposed and that is essentially what one needs when looking at a proposal. We need to see what the Business Plan is because even if money initially has to be put into it it may be a feasible proposition given the targets that we aspire to attain. That is yet at the discussion point and the parties concerned collecting data and have still not put together a package.

HON LT-COL E M BRITTO:

Lastly, Mr Speaker, will the Hon Minister undertake, if and when a final solution is found, that at least the level of public service broadcasting, as being presently put out by GBC, will be maintained in the package and that we do not end up with a solution that meets with the external party involved interests like satellite television for the rest of Europe but not the needs of community broadcasting in Gibraltar.

HON J C PEREZ:

Mr Speaker, my main concern at this stage are the jobs of the people employed by the Corporation. That has primarily to be my main concern. If as a result of keeping

people employed I have to sacrifice part of the public service programmes that we have now that sacrifice will have to be made. I however do not think that that will be the case. Mr Speaker, GBC is not losing money as a result of making local programmes, it is losing money as a result of very poor advertising, very very low advertising for a variety of reasons. Therefore I do not think that that will be the case. Everyone that has so far looked at this matter were looking at it on the basis that their proposals would increase the hours of broadcasting. They would therefore be keeping the same element of local programming today and would mean a lower percentage of total broadcasting time given that the hours of broadcasting can be extended considerably because GBC presently use 6 or 7 hours a day.

NO. 14 OF 1991

ORAL

THE HON K B ANTHONY

Mr Speaker, now that the Omrod Company is supplying electricity into the Gibraltar network on a regular basis, can Government say:

- (a) when it is intended to close down the King's Bastion Power Station, and
- (b) what are Government's plans for this large site, once it becomes available for development?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, the intention is that King's Bastion Power Station should close down at the end of June. As things are at present this date continues to be realistic. However, if there are delays in the commissioning of a new Engine by Omrod or on major works being carried out to the radiators of two of the engines at Waterport, this date may need to be revised.

The Government itself has no plans for the development of this site. However, Government received a request some time ago from the Gibraltar Heritage Trust for the development of the site and the restoration of the Bastion. If such a proposal were to materialise Government would be prepared to make the site available.

SUPPLEMENTARY TO QUESTION NO.14 OF 1991

HON K B ANTHONY:

Mr Speaker, I thank the Minister very much for that answer. If the Gibraltar Heritage Trust plan is approved by the Government and obviously it sounds as if you are amenable to their views, is it intended to demolish and rehouse people who live in those quarters?

HON J C PEREZ:

Mr Speaker, first we have to get a proposal. When we get the proposal and we know what it is all about and it goes through the whole process, then we will look at whether the proposal includes the quarters. At this stage it is very early to say whether people living at King's Bastion will be affected or not.

HON K B ANTHONY:

But surely, Mr Speaker, this incentive from the Heritage Trust to embellish and restore King's Bastion to what I can almost term to its original glory means that those houses will have to go.

HON J C PEREZ:

Mr Speaker, I think that the Gibraltar Heritage Trust, and that is a personal opinion, would want to conserve those stone houses on top of it. That is my personal opinion, but we will have to wait for the proposals and see whether they want to conserve them or they want to pull them down. We will have to take a decision once the proposals are received. At the moment there are no proposals. There is only an indication that they would want to make a proposal for the development of that site.

HON K B ANTHONY:

Mr Speaker, if the Heritage Trust proposals are not acceptable to the Government does the Government have other ideas planned for this site?

HON J C PEREZ:

Mr Speaker, I can give the Honourable Member three ideas but they have not been discussed, as a Government. I am sure the Honourable Member himself has another few ideas on what can be done. However no one has actually discussed what we are going to do when King's Bastion closes. That is not in the Agenda for the moment.

HON K B ANTHONY:

Has the Honourable Minister invited the Gibraltar Heritage Trust to submit their proposals within a certain time?

HON J E PILCHER:

Mr Speaker, the Gibraltar Heritage Trust are in fact already looking at the area of King's Bastion. There was some months ago a Committee which was set up as a type of Steering Committee formed of members of the Heritage Trust and members of the Tourism Agency to look at the different options for King's Bastion. However as my colleague has just pointed out these are at a very early stage. When the proposals are submitted outlining the different options for King's Bastion these will be looked at by the Government. We are keen in developing King's Bastion in a way that conforms with the Heritage of Gibraltar and I think everybody including the Government has already accepted that. When those proposals are put in front of us that will be the stage where a decision will have to be taken. The matter is under review by the Heritage Trust, and by me in particular as the Minister responsible for Heritage and when the proposals are put in front of us we will take a decision.

HON K B ANTHONY:

Mr Speaker, I thank the Honourable Minister for that answer and I think I can assure this House that on this side we

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would rather see it developed as a touristic site to take the pride of place in the centre of our City rather than a concrete monstrosity going up on that site.

MR SPEAKER:

Next question.

NO. 15 OF 1991

ORAL

THE HON M K FEATHERSTONE:

Is the Government satisfied with the result of the experimental paving at Bell Lane?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Yes Sir.

SUPPLEMENTARY TO QUESTION NO. 15 OF 1991

HON M K FEATHERSTONE:

Will the Government accept that they have had to do an emergency repair in the last two or three days to this area?

HON M A FEETHAM:

Yes Sir.

HON M K FEATHERSTONE:

Will the Government accept that whenever it rains the sand underneath the paving tiles washes away and makes a very uneven surface.

HON M A FEETHAM:

No, Sir.

HON M K FEATHERSTONE:

Will Government monitor the situation in the future to see exactly what is happening in that area?

HON M A FEETHAM:

Sir, what happened in that area was that there was a major water burst and as a consequence various stones had to be removed and the water burst attended to. If one cares to go along to Bell Lane it will be seen that there is no trace left of the road having been opened up. That, Mr Speaker, is the advantage of using paving stones.

HON LT-COL E M BRITTO:

Mr Speaker, when I asked this question some time back, I was told that one of the reasons why it had taken so long to pave the lane was that the paving was being used as a training scheme. Can I be now informed the results of that training scheme and how those lessons learned from that training scheme have been used in other areas of Gibraltar?

HON M A FEETHAM:

No, Mr Speaker, it was not a training scheme. It was, in fact, that for the first time Government's own direct labour were responsible for laying the paving stones. From that point of view it was experimental. It was experimental from the point of view that Government's own labour were responsible for laying the paving stones. The result as far as we are concerned is totally satisfactory. Whether we wish to use paving stones in other parts of Gibraltar is a matter for Government to consider, but from the point of view of having used it, the adequacy and quality is totally acceptable to the Government.

MR SPEAKER:

Next question.

NO. 16 OF 1991

ORAL

THE HON M K FEATHERSTONE

Sir, is the Government aware that a number of lights in the Town Centre are not working and is it satisfied with the system for checking this?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, the City Electrical Engineer informs me that the Electricity Department has been and is aware that a number of lights in the Town Centre are not working. These are being replaced at present although there has been some delay in doing this because both of the hydraulic vehicles have been out of order simultaneously.

SUPPLEMENTARY TO QUESTION NO. 16 OF 1991

HON M K FEATHERSTONE:

Will the Honourable Minister accept that at a recent survey of the number of lights out in Main Street fifteen lights out of thirty five were not working.

HON J C PEREZ:

Mr Speaker, I have not conducted the survey. The Honourable Member has conducted a survey and I will be pleased to have a look at it, but I have not conducted any survey and neither has anybody in the Government done so.

HON M K FEATHERSTONE:

Will the Honourable Minister ensure that we will return to a decent system of lighting as soon as possible?

HON J C PEREZ:

Mr Speaker, the system of replacing street lighting is the same one that we inherited from the previous Government. There has been no changes at all in the system, so I do not see what there is to look at. If the Honourable Member has done a survey himself and has certain evidence I will appreciate it if he should send it to me and I will take it up with the City Electrical Engineer who is the person that tells me that he is completely satisfied with the system. I cannot do anything else.

HON K B ANTHONY:

Mr Speaker, the Honourable Member said that both the hydraulic vehicles are out of action, does this mean that the lights will not be repaired until these vehicles are repaired?

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HON J C PEREZ:

No, Mr Speaker, I have said in answer to the question that they are being replaced now, because both of the hydraulic platforms are now operational. But it so happens that there was a stage when both were out of order and there was a lapse.

MR SPEAKER:

Next question.

NO. 17 OF 1991

ORAL

THE HON K B ANTHONY

Mr Speaker, will Government give serious consideration to marking a pedestrian crossing on the roadway north of the astrological sundial roundabout, bearing in mind that many elderly persons find the elevated pedestrian walkover between Laguna and Glacis Estates both inconvenient and tiring?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT

Mr Speaker, the matter the Hon questioner raises comes under the jurisdiction of the Transport Commission. The Government does not decide where to put zebra crossings.

I shall bring to the notice of the Commission the Hon Member's suggestion, although personally I feel that a zebra crossing near the runway is more inconvenient and tiring and certainly more dangerous than the pedestrian walkover.

SUPPLEMENTARY TO QUESTION NO. 17 OF 1991

HON K B ANTHONY:

I thank the Minister for his opinion. I appreciate that he will take this up with the Traffic Commission. Nevertheless, vehicles approaching the roundabout from north to south invariably have to stop in the roundabout to allow traffic coming from the left, therefore I do not see that it is dangerous having a pedestrian crossing there. Secondly, I think it is only fair to point out that between the sundial and the traffic lights at the bottom of Smith Dorrien Avenue, we have a centre barrier. This centre barrier whilst appreciating that it is there for safety purposes is extremely dangerous. I have driven along that road and seen youths vaulting over rather than using the overhead walkway. It is a problem having that and for elderly people to have to come all the way from the northern end down to the centre, climb up those steps and it is a climb, is a very fair comment.

HON J C PEREZ:

Mr Speaker, I am told that that barrier was erected at the time of the walkover precisely to encourage people to use the walkover. If there are some youths that jump the barrier they should not be jumping the barrier, it is an offence and they should be reported. But because there are some youths that might be breaking the law, is not a sufficient reason to look at the matter. I accept that there might be old people with a problem, but what the Honourable Member

is suggesting for them to get from Glacis to Laguna or vice-versa there would need to be at least two if not three zebra crossings because if you are going to do the zebra crossing north of the sundial, you would go into the area near the runway and then to get from one of those footsteps to Laguna, you would have to have another zebra crossing and then to get from the other footsteps to Glacis Estate you would have to have another zebra crossing. So the suggestion is not as simple as that. What I can commit myself with the Honourable Member to do is to take the whole matter to the Commission and let them take a decision given the plans that they have got and everything else.

HON K B ANTHONY:

I thank the Honourable Minister for his commitment to take this to the Transport Commission. On the question of complexity of zebra crossings, we have already got a precedent near Southport Gate where we have four or five zebra crossings. So having two or three in the northern area would not be a hardship.

MR SPEAKER:

Next question.

26 3 91

NO. 18 OF 1991

ORAL

THE HON K B ANTHONY

Mr Speaker, in view of the appalling parking conditions that exist in Moorish Castle Estate, will Government give serious consideration to clearing the undergrowth around the derelict ex-MOD properties at the edge of the Estate, to provide a few extra, much needed parking spaces?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, a number of possible schemes for dealing comprehensively with the problem of parking in the area have been put forward but none of them have so far reached the stage of a firm commitment. In the meantime the suggestion by the Hon Member will be looked into.

26 3 91

NO. 19 OF 1991

ORAL

THE HON K B ANTHONY

Will Government state what they intend to do about the increasing numbers of cyclists who flout the laws of Gibraltar by riding indiscriminately against traffic flow in one way streets, by riding their bicycles in pedestrianised streets, and especially those who ride at nights with neither front nor rear lighting?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Answered together with Question Nos. 20 and 21 of 1991.

26 3 91

NO. 20 OF 1991

ORAL

THE HON M K FEATHERSTONE

Sir, will the Government ensure that the Police enforce the law of driving with dipped headlights in the Town area?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Answered together with Question Nos. 19 and 21 of 1991.

NO. 21 OF 1991

ORAL

THE HON G MASCARENHAS

Sir, is Government satisfied with the practical arrangements in force today in respect of visiting motor caravans circulating in Gibraltar?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, Questions 19 and 20 both assume breaches of the law of which I know nothing about. If the questioner has proof of this I suggest that he either provides details to me so that I may pass it on to the Police or he contacts the Police directly, whichever he prefers.

SUPPLEMENTARY TO QUESTION NO. 21 OF 1991

HON K B ANTHONY:

Mr Speaker, I thank the Minister for his answer. I am surprised that the Honourable Minister does not know that cyclists ride up and down Main Street at all times. I see them every day and if the Hon Minister cares to walk at the end of the school day at around 4 0'clock

HON M A FEETHAM:

Mr Speaker, we have no time for that.

HON K B ANTHONY:

Mr Speaker, well, they wheel in and out of pedestrians and, in fact, Mr Speaker, the other day I saw one riding up the Main Street and he swerved to avoid a Policeman who was walking down and the Policeman did nothing about it. These are the sort of things that annoy me, Mr Speaker.

HON J C PEREZ:

Mr Speaker, I am not trying to belittle in any way the importance of what the Hon Member is saying but frankly the Minister cannot be answerable for matters of this nature in the House. The law exists, we are legislators, all of us have passed laws here and if there are breaches of that law, it is a matter to be reported to the Police Authorities and not to ask the Minister what he is going to do about it. Perhaps the Honourable Member might have more time than I have or he passes through Main Street at a particular hour, but I have not seen the cyclists going up and down Main Street as he suggests. I do not doubt that he has seen them but what I am telling the Honourable Member is that he either gives me the details and I pass them on to the Police or he passes them on to the Police directly. It is up to the Hon Member to opt for what he prefers.

HON K B ANTHONY:

The other point, Mr Speaker, of course is the important one of cyclists with neither a front or a rear light at night and any motorists in this House or outside this House knows that they are a menace. They are a problem because they overtake left and right and you do not see them. There appears to be no effort being made to ensure that cyclists comply with the law, Mr Speaker. Motorists comply with the law so why should not cyclists comply with the law?

HON A J CANEPA:

Mr Speaker, in the past the Police used to have a fairly regular programme of training for young cyclists in schools. These training courses were given over a period of time and, in fact, I believe that on occasions even certain awards were made to young cyclists. I wonder whether they should not be dusted off the shelves and re-introduced because it is a problem I can assure the Honourable Member and it does seem to be the attitude of many youngsters that the Traffic laws do not apply to them. I am quite happy that some of my Honourable colleagues should be Honorary Surveyors in respect of traffic and in respect of lighting. However I do not think that they should be Honorary Policemen as well. But there is a problem, Mr Speaker. There is fairly widespread flouting of the law in this respect and I think the matter should be brought to the attention of the Police and something should be done.

HON J MOSS:

Mr Speaker, in fact I do not think that it is necessary to dust those plans of the shelves because Community Policemen are still involved in the schools and giving instructions to young people on cycling and awards are still given out but perhaps the kind of youths that the Honourable Mr Anthony is speaking about are of a slightly older age than the ones that get this type of instruction.

HON K B ANTHONY:

Yes, Mr Speaker, the Honourable Minister is correct. They tend to be the twelve, thirteen, fourteen year range and many of them indulge in this little hobby known as "wheelers" where they are not only a menace to the public but a menace to themselves. I have seen a couple of them go backwards and land on their heads. That is another problem.

HON M K FEATHERSTONE:

Perhaps, Mr Speaker, we could have a publicity campaign to remind people of certain Traffic laws?

HON J C PEREZ:

Mr Speaker, giving publicity to that and to other matters is not a bad idea at all and having a campaign to remind people of what the law says is not a bad idea. That is a suggestion that I will take on board.

HON M K FEATHERSTONE:

Thank you, Mr Speaker.

HON G MASCARENHAS:

Mr Speaker, going back to Question No. 21, did I understand the Minister that he would be issuing instructions? Will you be advising at the point of entry, at the frontier, that they should go to a suitable parking space?

HON J C PEREZ:

Mr Speaker, I understand that this happens already, but to be absolutely sure I shall advise the Police that this is the position and that they should inform these caravans that they should go to designated car parking spaces when they come in.

HON G MASCARENHAS:

Mr Speaker, will the Government be changing any Regulations for that or would it be a practical arrangement.

HON J C PEREZ:

It is not a question of changing any Regulations. There are some roads in which vehicles of a particular size and weight can go through and some where they cannot. Notwithstanding the new signs that have been put up inevitably sometimes there are caravans who get stuck in Prince Edward's Road and the sign is there. The Police advise is given at the point of entry but it still happens and a traffic jam is created. Now to try and avoid that what I am going to do is check that they are actually being advised continuously at the frontier that they should go into designated car parks and park their caravans there.

HON G MASCARENHAS:

Mr Speaker, with due respect to the Minister what I was saying is to avoid it altogether and stop it.

MR SPEAKER:

Will the Minister answer that question?

HON J C PEREZ:

It is not a question, Mr Speaker, it is a suggestion.

26 3 91

NO. 22 OF 1991

ORAL

THE HON LT-COL E M BRITTO

What was the average number of complaints received from members of the public by the Department of Trade and Consumer Affairs before this was disbanded and what is the comparative figure since then?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, I will answer this question together with Questions 23 and 24 of 1991.

26 3 91

NO. 23 OF 1991

ORAL

THE HON LT-COL E M BRITTO

Is Government satisfied that the present arrangements for consumer protection are adequate?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Answered together with Questions 22 and 24 of 1991.

ORAL

NO. 24 OF 1991THE HON LT-COL E M BRITTO

Will Government say how many EEC Directives concerning consumer protection are under, or awaiting, consideration and will it undertake to make copies of these available to the Opposition?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, I wish to deal with Questions 22, 23 and 24 as one as they are all related to the same subject matter.

The Department of Trade and Consumer Affairs was disbanded by the Government in February 1990. This decision was taken when the Government satisfied itself that there was no role for the Department to play in its present form. The cost to the taxpayer of running this Department was in excess of £100,000, employing a complement of twelve which included two Supervisory Staff.

One of the roles of the Unit was administering the items which had been price controlled by the Government. This was done away following a study of the operation of price control. The result of the study showed that the very few items included in the price control system had a very limited effect on the Index of Retail Prices. The movement of prices in the controlled items did not indicate the machinery was having an impact in affecting a reduction in the rate of increase, and the rationale for its introduction in a closed frontier situation was no longer applicable. The cost of applying the controls accounted for a large part of the resources of the unit. Additionally, in following up complaints received from the public (consumers), the role of the Consumer Protection Officer was limited to that of representing the consumers and using persuasive powers to try and resolve complaints. At the time of disbanding the Unit the average number of complaints requiring the intervention of the Consumer Protection Officer(s) was 6 per week.

Under the Sales of Goods Ordinance which was enacted in 1895, the Consumer Protection Officer is not empowered to pursue the complaints legally. That responsibility lies with the complainant. In disbanding the Department the protection to the consumers was left intact as it is this legislation which protects the consumer, and not the Department as it was then set up.

In pursuing the Government's policy of streamlining the Civil Service and therefore improving the services it offers to the public in the broadest possible sense, the judgement exercised by the Government at the time was that the consumers (taxpayers) would be better served by disbanding the Unit and to transfer that responsibility to the Department of Trade and Industry which would deal with any matter requiring addressing within the available Departmental resources. All complaints which have been directed to my Department have been processed. The number of complaints has reduced as compared to previous figures.

This, Mr Speaker, is an interim measure and until such time as the Government is in a position to review all matters appertaining to the wider aspects of consumer protection generally.

Nevertheless the real position is that the consumers' rights are protected legally and this aspect has in no way been diluted.

Turning to the EEC Directives, I wish to inform the House that there are 8 such Directives awaiting consideration or implementation. Copies of these Directives will be made available to the Member opposite.

SUPPLEMENTARY TO QUESTIONS NOS.22, 23 AND 24 OF 1991

HON LT-COL E M BRITTO:

Mr Speaker, there are such a wide variety of questions which I would like to put on the answer given by the Minister that it may take a little while to finish. To start with Mr Speaker, will the Minister accept that there are two aspects in Consumer Protection, two totally different areas, ie price control and looking after the consumer's interest.

HON M A FEETHAM:

Yes, Mr Speaker.

HON LT-COL E M BRITTO:

And that the thrust of my questions would be directed Mr Speaker, towards the second aspect as a result of price-control having been done away with by this Government, and which is something that I do not necessarily argue with. In fact, I agree there is no need for price control now.

HON LT-COL E M BRITTO:

Mr Speaker, will the Minister comment on the grave disparity between the figure he has given us in this House of 300 complaints per annum with that given by a former Director of the Department, in public, on GBC Television in a debate

recently, where he said that during his time, and he said that there were records in the Department to prove it, the figure was in the region of 1,500 per annum?

HON M A FEETHAM:

Sir, the figures that the former Director of the Department which I disbanded, a former Civil Servant, quoted in that programme using information available to him as an ex Civil Servant are figures which I do not dispute, but the figures that I am quoting today are the difference between a complaint that may have been lodged and a complaint that in the ex Director's judgement or in the judgement of his staff required intervention. Therefore in terms of complaints as the question asks that were pursued by the Department, the figure that I have given the Hon Member is correct. There are approximately about 300 per year.

HON LT-COL E M BRITTO:

Mr Speaker, I cannot accept that. My question was the average number of complaints received. Not dealt with. Not considered important or unimportant? But the average number of complaints received. The former Director said in public 1,500. The Minister is telling us today 300. It has been said that it is a record. How can there be such a disparity of figures?

HON M A FEETHAM:

What the former Director of Consumer Protection Officer or Head of the Department did not say was that the average figures since 1978. He quoted a figure which was more or less pertaining to 1989/90 or thereabouts. That figure was as a consequence of the increase in the opening of the frontier. As far as complaints that required dealing with either by picking up a phone or trying to persuade "Mr so and so" to receive formally a complaint the number registered in the Department, the total number was on average 6 per week. Even if we doubled that to 1,000 per year it would still only be about 18 per week. If you work out 18 or 20 complaints per week for the amount of money that those complaints were costing the tax payer, even if you made it five times more so that the Hon Member is happy, the cost to the tax payer was astronomical for the work that was being carried out and the level of success of the complaints that were made to the Department. As far as we are concerned we are looking at ways and means of saving the tax payer money. All that has been said does not alter the fact that as I have already made very clear we need to look more at Consumer Protection and its wider issues. I am looking at this aspect very closely and very actively and we will be implementing ways to cover this issue in an efficient and effective commonsense way. As far as we are concerned, Mr Speaker, what we have done is correct. So even if it were five times the figure that I have given in pounds, shillings and pence, it was not satisfactory Mr Speaker.

HON LT-COL E M BRITTO:

Mr Speaker, according to my information it is five times the figure because it is 1,500 not 300. I will go further, Mr Speaker, according to my information it is not because the frontier opened, as the Minister has said, because in times when the frontier was closed, my information is that, the figure was, in fact, in the region of 3,000 and not 1,500. However I will leave that aspect because obviously we are not going to agree, Mr Speaker, except to say that my information is totally different to what I have been told today by the Hon Minister. I would then ask the Minister to comment on why he thinks that since the Department was disbanded the number of complaints being received have dropped so dramatically? I will not, Mr Speaker, accept the answer that this is because there are no longer consumer problems.

HON M A FEETHAM:

No, Mr Speaker, I think that what has been happening quite frankly if the Hon Member wants an honest answer from me, in terms of my own judgement, is that when you do not have a machinery that tries to justify itself and there are people, Heads of Departments, that are only interested in creating a bureaucracy and trying to justify things that cannot be justified it is only when you question it that you realise that there may be a better way of dealing with the problem and not protecting No.1 at the top. That, Mr Speaker, is my judgement and my honest reply to the Hon Member's question. What we will be doing is looking at what really needs to be done to protect the consumers. Our responsibility, within the EEC Directives, is to have a proper machinery to deal with complaints. Let me tell the Hon Member something else, Mr Speaker, that there is also a responsibility of the Chamber of Commerce in dealing with the matters pertaining to their own membership. Every Association in Gibraltar deals with their own members and deals with complaints against their members and I think it is logical that where you have a Chamber with their own offices that there should be a level participation by the Chamber in dealing with complaints against their own members. I am looking together with the Chamber of Commerce at ways and means of dealing with complaints by the Chamber. I am very pleased that in the programme that the Hon Member participated in together with the Head of my Department and a representative of the Chamber it was said that they would welcome a forum that involved the Chamber and that will be part of the machinery I am looking at. I think that what is really needed is to give backbone to what both sides are keen on doing and perhaps there ought to be something that gives it more legal backbone to the complaints that are justified and to which there is no recourse. Sometimes, Mr Speaker, it would cost more to the complainant to seek legal advice than the cost of the item under discussion. However the machinery that needs to be set up ought not to be a machinery that interferes

with the already hard pressed Attorney-General Chambers and the Judicial system. Something below a Magistrates' Court, like a Small Claims Court could be set up in Gibraltar to look after consumer complaints and take away an awful lot of pressures in other areas. That is another alternative that I am looking at in setting up a machinery. These things however take time because there are an awful lot of priorities but I can assure the Member opposite that the two items that I have just raised are matters that we are very actively pursuing. The fact that there is a substantial drop in complaints I have to accept because all we want to do is to do things properly. I have to accept that perhaps the only point that I find that is acceptable is that there may not have been enough publicity in directing people to the Department of Trade and Industry and that is a matter that I think is fair comment and it is a matter that I intend to deal with and, in fact, a number of things are going to be happening to ensure that this comes about.

HON LT-COL E M BRITTO:

Mr Speaker, I am glad the Minister recognises that one of the reasons apart from the one that he himself gave us as an honest opinion, is the lack of publicity. A further reason I would venture to put to him, and I hope he will agree, is that in the present Telephone Directory, the Department still appears as a Department and enquiries and complaints are still being given at those numbers. Mr Speaker, will the Minister accept that this is something that he should correct in his publicity drive and the telephone number of the present Department should be clearly spelled out so that a person who has a complaint can ring up their number and make the necessary complaint. So if the Hon Member is looking at a publicity campaign then maybe he could undertake to do something about this problem. Mr Speaker, no amount of interim measures will solve the problem because in the eyes of the Womens' Association representative, present at that debate, there was a need to do something now and they were asking for something to be done quickly. Will the Hon Minister accept that for example, Mr Speaker, at the moment there may be a system, a very vague system, of receipt and investigation of complaints but there is not anything in place at the moment, for example, for arbitration of complaints between the complainant and the shop or the people providing the service.

HON M A FEETHAM:

Yes, Mr Speaker. What I have said is, in fact, that I want to bring about a system which is much more efficient and better than the one that we had and I have already said to the Hon Member that if the Consumer Protection Officer in the past was not able to convince a shop-keeper that the complaint by the consumer was justified there was

virtually no legal power and that was the end of the matter other than the consumer seeking legal advice and take the matter up through the Civil Court. That, Mr Speaker, is, in fact, the system that I have removed. I want to introduce a system where if persuasive powers by the Chamber, because I want to rope in the Chamber to deal with complaints against their own members, or if the persons dealing with the matter in my Department are not able to persuade and settle a complaint then there is a machinery which would arbitrate and I have already stated of something like a Small Claims Court as exists elsewhere. We need to introduce some sort of measures which would add backbone. We have considered introducing legislation but with all the other priorities that we have, agreements for housing and other priorities we will have to consider when we are able to bring to the House this matter. My Learned Colleague at my far right is fully aware of my intentions. In the meantime we need to continue with interim measures and as I have already said we will give the matter more publicity which will no doubt help the situation. However let us be quite clear that at the end of the day if we are not able to persuade a shop-keeper or trader that he is wrong and he ought to reverse the situation then that is as far as the Department can go.

HON LT-COL E M BRITTO:

Yes, Mr Speaker, I accept that the previous Department did not have the legal powers to implement any action in the case of a complaint but will the Minister accept that the record of that Department shows that in the vast majority of cases for whatever reason, and perhaps one of the reasons was probably that most people did not realise that they did not have the legal power to implement things, but for whatever reason the records show that it was an effective force when they came and confronted the shop-keeper and in the main complaints were addressed satisfactorily by the people who had been the course of the complaint in the first place. I accept that the system needs to be improved and I welcome the fact that the Minister is going down the road of the small debts court something which I know has been proposed in the past and that again has been generally accepted as a means of solving the small problems. I will now ask my final question on the numbers of Directives. I am a little bit surprised by the number I have been given, Mr Speaker....

HON M A FEETHAM:

Mr Speaker, what has the former Director of the Department told the Hon Member about the Directives?

HON LT-COL E M BRITTO:

Mr Speaker, let me make it quite clear, for the record, that apart from a public appearance on GBC Television on the "Live from the Rock" programme some weeks ago, I have

not been given any information by any former or present Civil Servant on this matter. I have been given a figure of eight Directives and looking at the phraseology of my question, Mr Speaker, I would ask the Minister is, that figure the total number of EEC Directives? I am referring to Question No.24. The total number of EEC Directives concerning Consumer Protection that had been received by Gibraltar or is it the ones that are under consideration at this moment in time?

HON M A FEETHAM:

Mr Speaker, to the knowledge of the Government these are the Directives that require to be implemented. Let me say for the information of the Member opposite that at least two have not been implemented and cannot be implemented until the UK give us the go ahead to implement them. As far as another two are concerned they cannot be implemented because they do not take effect until 1992 or 1993 anyway.

HON LT-COL E M BRITTO:

Yes, Mr Speaker, perhaps it would make it easier for the Minister to understand my perplexity when I say to him that I was expecting an answer more in the region of one hundred than in the region of ten.

HON M A FEETHAM:

Mr Speaker, could the Hon Member opposite please tell us where he has got that information, that there are, in fact, one hundred Directives pending? It would help us and the Attorney-General's Office because it could well be that the Hon Attorney-General is actually throwing away Directives into the waste paper basket so as not to have to do so much work!

HON LT-COL E M BRITTO:

Mr Speaker, if the Minister will undertake to let me have sight for a couple of days of the Directory of Community Legislation in force I will come back to him with a list of Directives that to my mind appear to be pending.

HON CHIEF MINISTER:

Mr Speaker, when the GSLP was elected into Government we found out that in fact something like 99% of Community Directives which should have been introduced in Gibraltar from the 1st January 1973, when we joined the Community, to the 25th March 1988 when the AACR ceased in Office had not been given effect to. I have already told the House on a previous occasion that I had a rather embarrassing exchange with Mrs Lynda Chalker at the time because I was arguing, as many of us have done before in Gibraltar, that we seem to be in the Community in order to comply with

everything about the Community and we were getting no benefit out of it. It was pointed out to me that we were complying with virtually none of the rules that we were supposed to be complying. The effect of that was that we overhauled the system entirely and we practically caught up with the backlog so there may be many Directives that the Hon Member opposite is not aware that have already been introduced simply because we have been able to introduce it by applying Regulations without the need of introducing primary Legislation. That maybe where his confusion comes from.

HON LT-COL E M BRITTO:

That precisely is, Mr Speaker, why I re-asked the question. Because reading it now I see that I said "are under or awaiting". That by implication means that those that have been received but have been discarded or implemented are not in the answer. The figure of eight was the total number received or was it just those under consideration now and another five, ten or twenty or whatever have already been implemented? That is the clarification I was trying to ask, Mr Speaker.

HON CHIEF MINISTER:

Mr Speaker, the answer I have just given the Honourable Member is that the hundreds that he thinks have not been implemented have, in fact, been implemented. The answer that has been given by my colleague is that from the information available to us by our legal experts there are six or eight Directives which need to be put into effect and it is not that we are behind time because we are not the last Country in the Community. There are many Directives where we are ahead of the rest of the Community and there are some where we are behind, but in order to put it into perspective what I am telling him is that whereas now it is a small proportion that is still unimplemented, when elected, on the 25th March, the proportion was of the order of 99% which in the preceding fifteen years had not been implemented and should have been implemented.

HON LT-COL E M BRITTO:

Mr Speaker, will the Chief Minister accept that he is giving us a diversion by going into the proportion that are implemented or not implemented. I am not trying to pin the Government down into a position of not implementing a proportion of Directives. All I am trying to find out is how many Directives there are and I will be happy with a yes answer to the question asked a few minutes ago, "Will the current Directory of Community Legislation, be made available to me"? It should be a public document I should imagine. It is part of the official Directory of Community Law.

HON M A FEETHAM:

Mr Speaker, I have said that there are eight. I have said that I am going to make them available to the Member opposite, I have also said that of the eight, two have not been implemented until the UK gives its approval. There are another two that cannot take effect until 1992/93. The other four incidentally have been there since 1985. Two in 1984 and two in 1985.

HON LT-COL E M BRITTO:

Right, Mr Speaker, I thank the Minister for making the eight Directives available to me as I asked in the question. Will the Hon Minister make available a current copy of the Directory of Community Legislation and other Acts? Yes or No?"

HON M A FEETHAM:

First of all Mr Speaker, I have said that I will. I believe that they are actually available here in the House. They are also available in the MacKintosh Hall. However to make things easier for you so that you do not have to go anywhere in particular I am going to send you copies of the eight.

HON J C PEREZ:

In case you are probably run over by a bicycle!

HON M A FEETHAM:

I think, Mr Speaker, that the Hon Member is entitled to have them so that he sees what the situation is.

HON LT-COL E M BRITTO:

Mr Speaker, I am grateful and I will not pursue the matter any more. I thank the Minister for that.

MR SPEAKER:

Next question.

NO. 25 OF 1991

ORAL

THE HON A J CANEPA

Will the Government say whether the MOD are handing over to them the whole of the building known as the Sergeant's Mess in Governor's Parade and, if so, will they say what plans they have for its future use?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Yes Mr Speaker, the area known as the Sergeant's Mess in Governor's Parade is earmarked for handing over to the Government of Gibraltar.

No decision has yet been made as to its future use.

SUPPLEMENTARY TO QUESTION NO. 25 OF 1991

HON A J CANEPA:

I am grateful to the Minister for that answer. Will the Government try to ensure that whatever use it is put to in the future that the rather attractive and unique character of that building, particularly the facade, will be preserved.

HON M A FEETHAM:

Undoubtedly, Mr Speaker. That is in conformity with Government's policy.

MR SPEAKER:

Next question.

26 3 91

NO. 26 OF 1991

ORAL

THE HON A J CANEPA

What plans does the Government have for Tower Buildings?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, a Structural Report was recently commissioned which at present is being considered.

No final decision has yet been made as to the future of Tower Buildings.

SUPPLEMENTARY TO QUESTION NO. 26 OF 1991

HON A J CANEPA:

Mr Speaker, will the Minister make a further statement in due course or try to provide me with the result of the survey on Tower Buildings?

HON M A FEETHAM:

Yes Mr Speaker. In fact, the Chief Minister in another question will be making a reference to it.

MR SPEAKER:

Next question.

NO. 27 OF 1991

ORAL

THE HON A J CANEPA

What plans does the Government have for the site that has been cleared as a result of the demolition of Cumberland Buildings?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, Cumberland Buildings had to be demolished. I wish to make that quite clear in the light of a particular comment in a local newspaper. It had to be demolished as the buildings were found to be beyond any form of economic repair. The area will be cleaned out, in fact it is being cleaned out, and there are no plans, at present, for the development of the site.

SUPPLEMENTARY TO QUESTION NO. 27 OF 1991

HON A J CANEPA:

That means, Mr Speaker, that the Government has no plans. Has it received any proposals from outside interests for the site?

HON M A FEETHAM:

Mr Speaker, there has been interest shown about investment for development of the site. The Government has not made any decisions and it has not looked at any proposal or at any approaches. There are therefore no firm proposals from any source about the development of the site for the time being.

MR SPEAKER:

Next question.

26.3.91

ORAL

NO. 28 OF 1991

THE HON LT-COL E M BRITTO

Why has Government taken no steps to re-open the road leading to the North Mole or to repair the damage caused by the Reclamation Programme?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, infrastructural and other works continue in the area of the North Mole Road. When these are complete the road will be re-opened.

SUPPLEMENTARY TO QUESTION NO. 28 OF 1991

HON LT-COL E M BRITTO:

Will the Hon Minister accept, Mr Speaker, that in his answer to Question No. 77 of 1989 he told this House the reasons for the cracking and how the damage had occurred and I quote "the cracking was of a superficial nature and no damage to the services had been recorded. Settlement had now ceased and there was no reason to expect any further consolidation of the sea bed". The Hon Minister also said, and I am still quoting "that the costs were very, very minimal and that the cost of repair would be included in the 1989/90 Estimates". In view of this, Mr Speaker, an answer that it is part of the infrastructural works and still being considered is not enough especially in the light of the recent events in the area. Could the Minister therefore give us an indication of whether priority is going to be given to this matter or whether the matter is still "airy fairy" as it was in 1989?

HON M A FEETHAM:

Mr Speaker, what the Hon Member has said is correct since that is what I said at the time. However, let me tell the Hon Member, Mr Speaker, that it is hard and difficult enough to get everything that is required in that particular area done quickly. I think I need to refresh Hon Members' minds on what has happened since I answered that question in 1989. All Shell's fuel pipes that were above ground, creating an eyesore, have been buried as well as the other pipes that were required in the area for water, sewage, etc together with a new pumping station. The Components Factory has been built with the all consequent infrastructure that was required. All this has had to take place before we could carry out the repairs and resurface it. We have now reached a stage where very soon, although I put a question mark on this, probably

very soon, we will be able to carry out the repairs on the road, which as I said, were minor works. People will have noticed that we have started resurfacing not with asphalt but with soil etc, the underlay, to widen it and once it is properly resurfaced it will be seen that it is a much wider road than what was there before. We are planning that this should happen within the next month or so and the road will then be opened.

HON LT-COL E M BRITTO:

Mr Speaker, I hope the Minister will agree with me when I say that I take his explanation with a pinch of salt because the infrastructural works which he has described had been happening at a time when the rest of the road, because we are talking of a piece of road about 50 metres long, in either direction has been open throughout the time when all the works he has been describing have been carrying on. It is therefore difficult to see how this can affect one stretch of 50 metres and not the rest of the roadway. However, having said that, Mr Speaker, I would stress and ask the Minister to accept that there is a need to re-open that road as quickly as possible as a matter of urgency. This road is used by heavy lorries, container lorries, on a daily basis. It is used at night by, shall we say, that section of the public who possibly have not yet matured to an age that they should know better than to drive at the speeds at which they drive. It is also used by motor cyclists in the dark, it is very narrow, it is used as a two-way road, there are no traffic lights and there are a number of oil drums, because I am not sure what they contain, and which after the recent accident the Police said they were going to remove but which are still there. The net effect, Mr Speaker, is that the side road, although I hesitate to call it a road, the quayside, is narrow and dangerous and the sort of accident which occurred a week ago and which, fortunately, had no great consequence could easily happen again. Mr Speaker, considering the matter closely it is a miracle that something serious has not happened in the past. I therefore hope that the Minister will accept that there is a need to open up that road quickly and not allow it to be used as a convenient parking area because quite frankly this is what it has been for some two years.

HON M A FEETHAM:

Mr Speaker, one thing that the Hon Member seems to forget is that as one is doing something in one place you need to allocate space somewhere else. Works have been going on in that area, in that stretch of road, continuously not because there was a bit of movement on the road as a result of land reclamation, but because infrastructural works have had to be undertaken, over a period of time, because that is an area that happens to be the place where a lot of the infrastructure joins up. As a result of this when we have had to move people out of one area, stevedoring and transshipment facilities, we have had to use part of the road for these facilities which

the Hon Member has described as car parking areas. That, Mr Speaker, is not the case. It is a situation where there has been a lot of upheaval, and I repeat the word upheaval, in that area. We still have some 7 or 8 months overall to go before it is finished but the overall benefit to the community will be tremendous and all the problems forgotten in due course.

HON LT-COL E M BRITTO:

In conclusion, Mr Speaker, the same as he has no time to go down Main Street he does not have time to visit the area.....

HON M A FEETHAM:

Mr Speaker, I am not prepared to take that from the Hon Member because all I have to do, quite frankly, is to take my bed and put it in the reclamation area because that is where I am spending all my time. I do not believe in sitting behind a desk and that area is an important part not just for the Government, but for Gibraltar and there are hundreds of parts involved and the road is only one part, one minute part, of the whole issue.

HON LT-COL E M BRITTO:

Even if the Hon Minister spends a lot of time down at the reclamation he must enter it round the other side. All I want to do, Mr Speaker, is ask as a final question, that if there is still a period of time before the road can be opened that the safety of the people using the area, and I am not sure what were the Minister's exact words, but I think he said that it was unimportant, however it must be important if someone were to lose his life by falling over the edge. Therefore if the diversion needs to continue will the Minister accept that, even if only for one more day let alone weeks, there is a need to look at the safety of that particular section and that the drums need to be removed and some sort of barrier needs to be placed by the edge of the Wharf before another accident occurs?

HON M A FEETHAM:

Mr Speaker, of course I believe that safety is important but that has not been the thrust of the question. That has not been the thrust. That has been raised because the Hon Member has nothing to say in response to what I have said. Of course I am concerned about safety in that area and quite frankly what I have been trying to do is to discourage private users of going into the Port area unnecessarily. However, at the end of the day people want to move around and people will go into the Port area despite the fact that there are notices there saying that it is a particularly dangerous area and that you should not enter unless it is necessary. These signs have been erected, Mr Speaker, and these signs have been removed. That removal, Mr Speaker, has not been done by the contractor. It

is therefore a case of doing the best under difficult conditions. But to suggest that any Member on this side of the House is not concerned about safety is taking it a bit too far. I have the Captain of the Port virtually patrolling the area continuously, the Police involved, there is a Committee of Stevedores and Port users that meets regularly with myself or the members of my Department, to try to keep everything in check. Therefore, Mr Speaker, under difficult circumstances we are doing the best we can.

HON LT-COL E M BRITTO:

Mr Speaker, there are two points which I cannot leave unchallenged. The first is that will the Minister accept that I gave notice before the incident happened and therefore it was not that I was asking the question because I did not have anything else to ask. I was asking because, quite genuinely, in the line of my private business, I do visit the area with a certain degree of regularity and I have always been struck about the danger in that particular stretch of road. Secondly, the Hon Minister made the point that collectively the Government were very concerned about safety and I do not doubt that for one moment. But I raised this point in my last supplementary question because the Hon Minister said in his reply that it was an unimportant part of the works involved.....

HON M A FEETHAM:

A minor part of the overall programme.

HON LT-COL E M BRITTO:

Was unimportant. What I am saying to the Minister is that it is not unimportant in the context of the narrowness of the road. It would therefore be in everyone's interest for the "oil drums" to be removed and a barrier placed before there is another accident.

MR SPEAKER:

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

NO. 29 OF 1991

ORAL

THE HON A J CANEPA

Will the Minister for Trade and Industry say how many vessels, excluding yachts, were on the Gibraltar Register of Shipping at the end of: (a) 1988, (b) 1989, (c) 1990?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, the number of vessels excluding yachts which were on the Gibraltar Register of Shipping at the end of (a) 1988, (b) 1989, (c) 1990 was 86, 80 and 50 respectively.

SUPPLEMENTARY TO QUESTION NO. 29 OF 1991

HON A J CANEPA:

Mr Speaker, is the Minister satisfied with the situation revealed by this downward trend?

HON M A FEETHAM:

Yes, Mr Speaker, because the Government as I have just said to a previous question are very much in favour of improving the standards of the ships on our Registry. "I would rather have 50 ships that are complying with the Conventions which are extended to Gibraltar on ships' safety than have an artificial register with 86 ships that look very good but 36 are in contravention of every Convention that is extended to Gibraltar. I would want to improve the number of ships that comply and attract more ships to the shipping registry, yes, but as the Honourable Member will no doubt agree the drop came about as a result of Gibraltar insisting on these Conventions being extended to the Gibraltar Shipping Registry which came into effect I think between late 1988 and 1989. I think there were a number that were spread over those two years.

HON A J CANEPA:

Is the Minister, Mr Speaker, still marketing the Gibraltar Shipping Registry as part of the package which is being offered by the Port of Gibraltar?

HON M A FEETHAM:

Yes, not only as part of the package that has been offered but we intend to do it as part of the overall package that Gibraltar has to offer. I believe that there is an important need in the market for the Shipping Registry, and although

you did not ask for it because obviously the Hon Member was aware before asking the question that there has been a drop, I hope that he is satisfied with the reasons for the drop. The Hon Member did not ask about yachts. However if one looks at the figures for the yachts it will be seen that the number of yachts registered it will be seen that in 1988 there were 826, in 1989 there were 894 and in 1990 there is 993 an increasing trend.

MR SPEAKER:

Next question.

NO. 30 OF 1991

ORAL

THE HON K B ANTHONY

Will Government give a progress report on the efforts being made to find a permanent solution to the problems of condensation and water penetration into some of the temporary housing at the USOC Estate on Queensway?

ANSWERTHE HON THE MINISTER FOR HOUSING

Mr Speaker, work is now proceeding on the problem of the water penetration. The equipment needed to eliminate the question of condensation was ordered and has arrived recently. When the work on the water penetration is ready we will be able to proceed with the other work.

SUPPLEMENTARY TO QUESTION NO. 30 OF 1991

HON K B ANTHONY:

Mr Speaker is the Minister prepared to give an assurance that we will not have water penetration or condensation as from next winter when the rainy season begins again?

HON J L BALDACHINO:

Mr Speaker, I can give the Honourable Member an assurance that the equipment that we think that is needed to eliminate condensation will be in place before this summer.

MR SPEAKER:

Next question.

NO. 31 OF 1991

ORAL

THE HON G MASCARENHAS

Sir, what plans has Government got to attract tourism to Gibraltar for the remainder of this year?

ANSWERTHE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, the Government announced its four year plan last year and there is no change to that. The fact that there has been a Gulf crisis does not change what was said at the time of the budget session last year.

SUPPLEMENTARY TO QUESTION NO. 31 OF 1991

HON G MASCARENHAS:

Mr Speaker, can the Minister say what funds have been committed to advertising and general promotion for the remainder of the year?

HON J E PILCHER:

Mr Speaker, the Honourable Member opposite knows that there will obviously be shortly an overall discussion on the Estimates, on the Budget, where normally the debate centres around each Minister making statements about their responsibilities and obviously at that stage, as indeed happened last year, I will inform the Honourable Member what the Tourism Agency has spent on advertising and marketing the previous year. There is, as I say, no change as a result of the Gulf Crisis.

HON G MASCARENHAS:

Mr Speaker, I beg to differ with the Minister. We will not be discussing the Estimates until late May or early June and I am asking the Minister what his immediate plans are to try to redress the situation which the whole world is facing? Because there has certainly been a recession in the Tourist Industry and whether he has any immediate plans to try and salvage something and try to get tourists to come to Gibraltar.

HON J E PILCHER:

Mr Speaker, I have already answered the question and I will read the first part of my answer "The Government announced its four year plan last year and there is no change to that". We accept, Mr Speaker, that there has been an international crisis caused by the Gulf Crisis however there is no change

to the plan that I set myself last year. The plan, Mr Speaker, and I think there is no need to repeat it, had various phases, marketing in the UK, a four year advertising plan and international marketing in the Central European market, ie Scandinavia etc. As far as the expenditure element of it, Mr Speaker, the Financial Year ends next week and I will not be able to give details of the amount of money I spent last year, like indeed I was unable to do so last year when he asked the same question. The Honourable Member must have heard and read through the media although I know that he is directly involved as well in the Association of Gibraltar Travel Agents that the only change is that we are launching ourselves at the Spanish market, as a new market, in order to start an advertising campaign. However the amount of money that is going to be spent next year is something that will be looked at in the third year of the four year plan and the money that is necessary will be made available.

MR SPEAKER:

Next question.

NO. 32 OF 1991

ORAI.

THE HON G MASCARENHAS:

Sir, in the wake of the Air Europe collapse, will Government ensure that they are consulted prior to any new airline being authorised to operate to Gibraltar and will the Minister for Tourism undertake to consult the Gibraltar Travel Industry on any such developments?

ANSWERTHE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, let me make one comment before I actually answer the question. The answer that I will give will deal with the written answer which had to be prepared a couple of days ago. However, after I have finished if the Hon Member will allow me I will make certain comments on what has happened over the last couple of days. Mr Speaker, the Government will ensure that the normal consultation process determined by the Civil Aviation Authority is followed in this instance and will undertake to consult the affected parties in the Gibraltar Travel Industry. Mr Speaker, that was the written answer prepared a couple of days ago. I have to inform the House, Mr Speaker, that since then although there have been certain rumours regarding the possibility of different airlines wishing to seek the necessary licenses to fly to Gibraltar, I have to advise the House that since then the Dan Air have applied specifically for the Gibraltar route. They have also applied for other Air Europe routes which are now available as a result of the collapse of Air Europe. Dan Air is now in direct consultation with the Tourism Agency and Gibraltar Airport Services Ltd, in its role as the Civil Aviation Authority, and has sought the backing of the Government for an immediate clearance for their licence. I have consulted the various parties affected, as I said in my initial answer, and the Government has already written through the Deputy Governor's Office, who is the Authority, advising the Civil Aviation Authorities that we are supporting the Dan Air application. We have also said that we would like the application to be heard as soon as possible so that the necessary licences can be issued. Dan Air have advised me that they now have the necessary infrastructure and can fly to Gibraltar immediately the necessary licences are given by the CAA Department. It does take a certain amount of time, Mr Speaker, but the Government hopes that certainly, Dan Air will be flying to Gibraltar before the summer of this year. Mr Speaker, we have also been informed by Air UK Leisure that they are in consultation with UNIJET to start charter services to Gibraltar from Gatwick as from the 3rd May. These are Charter Flights in support of the UNIJET operations which I am told were basically using Air Europe at the time and because of the collapse of Air Europe the tour operator was lacking seats and there has been an agreement between UNIJET, the Viking Group and Air UK Leisure to operate a three weekly

charter operation from Gatwick to Gibraltar between the months of May and October. This information has become available after I prepared the original answer, Mr Speaker. As regards the consultation process which forms the second part of the answer, there has been no consultation process although I must add that my offices are now in direct communication with Air UK Leisure in order to see how they are going to operate these charters and trying to create some kind of order so that there are no specific problems at the time that the two scheduled airlines that will be flying into Gibraltar. Let me add at this stage, Mr Speaker, that it is very difficult for the Government to do anything even if we wanted to because UK Leisure have what is called a European Charter License. This means that they can fly to any point in Europe other than the points which objected when the license was issued. Unfortunately on investigation the license application was made by Air UK Leisure on the 15th March 1988 and was not objected to by Gibraltar and on the 1st April 1988 the European Charter Licence was awarded which included Gibraltar. I am, Mr Speaker, giving Hon Members background information on the question of consultation by affected parties such as Gibraltar but there is very little that the Government can do even if it wanted to, because of the granting of a European Charter Licence. Thank you Mr Speaker.

SUPPLEMENTARY TO QUESTION NO. 32 OF 1991

HON G MASCARENHAS:

Mr Speaker, I have several supplementaries and I hope the Honourable Minister will bear with me. On the question of the Air UK service. This is a three services a week and is the Minister satisfied that any service operator should come to Gibraltar during the peak period, between May and October, and then stop during the winter?

HON J E PILCHER:

Mr Speaker, first of all let me add that I have meetings scheduled with the Directors of Air UK Leisure for the first week in April where I will endeavour, as I said before to get much more information than is at the moment readily available about the whole of the structure which Air UK Leisure intend to put in for the summer months. Personally, Mr Speaker, I am not entirely happy with the fact that an area like Gatwick which is serviced by two scheduled operators should be used by a charterer, particularly, during the summer months. However I do not have enough information, at this stage, to be able to make a comprehensive decision on the Air UK Leisure charter system. In any case, as I have already advised the House, because between the 15th March 1988 and the 1st April 1988 when the Government and the GSLP Opposition were in the middle of an election and thinking about other things but certainly the officials

that were there at the time should have picked this up at the time and objected to the immediate and automatic right to fly to Gibraltar. If this had been done the charterer today would have to be seeking a licence to do so and the Government would have some kind of control over it. However, as I have said it is too early, at this stage, for me to have all the relevant details to be able to answer the Honourable Member honestly.

HON G MASCARENHAS:

Mr Speaker, I will not press the Minister much on this point because he obviously has not got all the information. However is he aware that the charter operation pre-supposes that tourists will be coming and using hotel accommodation or other ancillary services and therefore is he aware on which brochures will Air UK be included in, in order to bring tourism or will it be mainly a seat only operation?

HON J E PILCHER:

No, Mr Speaker, the seat only operation which the Honourable Member refers to is something which requires the authorisation of the Gibraltar Government. That is not something which the European Charter Licence allows. It does not allow seat only operations. The Honourable Member opposite knows, because he is a prominent member of the Travel Association, how easy it is to circumvent the seat only element in the Charter Application. The information that we have to date, and as I say, Mr Speaker, it is too early in the day at this stage to be able to answer his questions genuinely, is that the Air UK Leisure application, and in fact, Mr Speaker, it is yesterday's Travel Trade Gazette, is being set up to back the UNIJET operation which has upped its capacity for the European situation in the view of the Air Europe collapse. So at this stage we know it is a UNIJET operation to bring tourists through Gibraltar to villas in the Costa del Sol. That kind of market. Obviously, there must be some plans which Air UK Leisure have at the moment to incorporate some of the other tour operators servicing Gibraltar and servicing the area.

HON G MASCARENHAS:

Mr Speaker, and has the Hon Member any information on the Dan Air application? We know it is going to be a Scheduled Service but does he have any idea of their plan to operate to Gibraltar?

HON J E PILCHER:

No, Mr Speaker, again I am sorry, but as I have said this happened yesterday. The initial comments by Dan Air is that they are prepared to come in and take over where Air Europe left off and that obviously would hopefully be a daily scheduled flight from Gatwick to Gibraltar. Again,

Mr Speaker, I have a meeting scheduled with Dan Air for the first week in April when I hope to have more information and which I will give to the Hon Member when we meet in one of the many forums which we both attend. I will also advise the Travel Association of these schedules.

MR SPEAKER:

Next question.

NO. 33 OF 1991

ORAL

THE HON LT-COL E M BRITTO

Will Government make a statement regarding the breakdown of negotiations with Kvaerner and on the possibility of any resumption?

ANSWERTHE HON THE MINISTER FOR GSL AND TOURISM

Mr Speaker, again let me say what I said in the previous question, and that is that yesterday there has been a change to the written answer and I will again give the written answer and then make a brief comment. Mr Speaker, Kvaerner have already made a public statement as to the reasons for the breakdown of negotiations. I have nothing further to add at this stage. Mr Speaker, that is the end of the original answer. When I said I have nothing further to add at this stage it was because there were some discussions in process and in the middle of January Kvaerner made the public statement which I have referred to. They stated that they had broken the negotiations with the Union and they made a series of comments which I do not have to repeat. However there have been some discussions taking place in the background over the last couple of weeks and that is why I said that I had nothing further to say at that stage because I knew there were negotiations still going on between the Transport and General Workers' Union and Kvaerner. Unfortunately Mr Speaker, there was a general meeting of the Transport and General Workers' Union yesterday morning at which stage the Transport decided not to proceed with the negotiations. There was a decision, I think, if I am not mistaken which was a unanimous vote to reject the Kvaerner proposals at that sort of twenty fifth hour of the discussions. I think, Mr Speaker, that both Kvaerner and the Unions have now totally broken off the negotiations.

SUPPLEMENTARY TO QUESTION NO. 33 OF 1991

HON LT-COL E M BRITTO:

Mr Speaker, I thank the Minister for his additional information to his original answer. We on this side of the House regret what we have just heard. We obviously, as we said at the time, were in support of a deal with Kvaerner in the light of what was being mooted about a capital investment of between £4m to £5m as was said at the time. It is therefore with regret that we hear the news. In that sense, Mr Speaker, we wish the Hon Minister luck in trying to find something else. There is nothing more I can add at this stage.

HON J E PILCHER:

Mr Speaker, I do not think that luck comes into it at all. However let me say that certainly as was made quite clear

when we had the debate on the 1989 Accounts of GSL, the Government were also quite keen for this proposal to come to fruition, but, of course, we made it quite clear at the time, as indeed we make it quite clear today, that we would not under any circumstances try and pressurise or try and force the Trade Union Movement to accept something which at the end of the day they did not want. To do so, Mr Speaker, would only augur badly for the future and the only condition really, at this stage, that we laid down was that there should be a Labour Agreement agreed to between Kvaerner or any other entity and the Trade Union Movement so that we were sure that if we were going to proceed with any proposal and have in-depth discussion that at least the three parties, the Government, the entity and the Unions were at unison in trying to go forward. This has not been possible and it is with regret that we on this side of the House have received this notice. We will continue trying to look for a way forward and obviously more information will be provided when we discuss the Accounts of GSL for 1990. I hope to do this before the summer recess, Mr Speaker.

MR SPEAKER:

Next question.

NO. 34 OF 1991

ORAL

THE HON K B ANTHONY

Mr Speaker, taking into account the current economic climate, will Government exempt first time buyers with owner occupation from paying Stamp Duty?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the Government is committed to increase the level of home ownership and is targetting to increase this to 25% from the 5% which was estimated in 1988.

The Government does not believe that the removing of the Stamp Duty is the way to do it and are monitoring the effect of the £10,000 tax allowance for home purchase. In the light of this we will see if we need to introduce incentives for lower income buyers. The economic climate does not affect home purchases. Some people can afford to buy and others cannot.

SUPPLEMENTARY TO QUESTION NO. 34 OF 1991

HON K B ANTHONY:

Mr Speaker, I thank the Hon the Chief Minister for his reply. The reasoning behind this question is simply that the £10,000 tax relief, is of course, an ongoing benefit whereas the 1.26% stamp duties is a lump sum payment and for a young couple who have taken on the burden of a mortgage, and it is a burden when you are buying a house, a lump sum paid out like that is a big hole in their pockets. That, Mr Speaker, is the reason behind it. Can I ask the Honourable Chief Minister if he would keep this in mind when he is looking at further ways to alleviating the situation for lower income people who wish to buy their own homes?

HON CHIEF MINISTER:

Obviously, Mr Speaker, in looking at what is the best way to produce an economic incentive to encourage home-ownership we look at the total cost of buying the house which includes the stamp duty. We have felt that it was better to approach it via the Income Tax system than via the Stamp Duty system, but at the end of the day whether you do it one way or another, what you are doing is effectively reducing the fiscal burden of buying a home.

MR SPEAKER:

Next question.

NO. 35 OF 1991

ORAL

THE HON K B ANTHONY

Mr Speaker, is Government now in a position to state how many housing units are going to be handed over by the MOD, following the withdrawal of the Resident Battalion?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, in addition to the 77 units mentioned in question No.121 of 1990, there are a further 111 units becoming available but until they actually come into our possession we will not know the condition they are in. These houses will be used to alleviate the housing problem. The situation so far is that Cumberland Buildings has had to be demolished as it could not be repaired at a reasonable cost.

As far as Tower Buildings is concerned, a survey was carried out and it was found to be in a bad state. Part of the building may be salvaged but not all the flats. Government is hoping to be able to use these for temporary accommodation as had been planned for Cumberland Buildings; for people in the process of buying a flat. However in the medium term no final decision has yet been taken. It is clear that Tower Buildings will have to be demolished as the cost of rehabilitation would be more than the cost of a new building.

SUPPLEMENTARY TO QUESTION NO. 35 OF 1991

HON K B ANTHONY:

I thank the Chief Minister for his reply. Of the 188 units, the 77 plus the 111, is it the Government's intention to earmark any of these for members of the Gibraltar Regiment?

HON CHIEF MINISTER:

No Mr Speaker, the Gibraltar Regiment is being housed by the Ministry of Defence and what my colleague the Minister for Housing has is an agreement that people who take up a home in these MOD Quarters will be in fact considered for re-housing when they terminate their military career as they would by a local authority in the United Kingdom. In some cases these are families that are already living in Government post-war dwellings and will be handing these back to the Government because they have new employment with accommodation provided by the Ministry of Defence. The position of the Government, in fact, in discussion with the Ministry of Defence has been that we are not willing to provide accommodation for their employees, be it servicemen

in uniform or any other category. However we are not adverse to them using their property to house their employees and retaining responsibility for them because at the end of the day it is still making an impact on the overall problem of housing our population.

HON LT-COL E M BRITTO:

Mr Speaker, is the Government then accepting a commitment to re-house members of the Regiment when they leave the regiment?

HON CHIEF MINISTER:

That is correct. There is an agreement on the terms upon which this happens and this agreement has been thrashed out in negotiation with the MOD. In some cases, as I say, it follows from people who are already accommodated. In some other cases it is people who are on the Waiting List and who in the absence of an Agreement would simply lose their pointage etc in the Waiting List and then find themselves homeless on reaching retirement.

MR SPEAKER:

Next question. ^a

26.3.91

NO. 36 OF 1991

ORAL

THE HON A J CANEPA

What is the policy regarding visits to Gibraltar for periods not exceeding six months by the wives and children of Indian nationals currently in Gibraltar with valid permits of residence?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the policy regarding visits to Gibraltar for periods not exceeding six months by the wives and children of Indian nationals, is currently under review in the light of the experience of previous visitors, a large proportion of whom have remained beyond the six months and in many cases, years beyond this time.

Any further permits for visitors will only be introduced when there is a foolproof scheme which will allow terms that can be complied with and will not allow those who come, to then seek to remain here permanently.

SUPPLEMENTARY TO QUESTION NO. 36 OF 1991

HON A J CANEPA:

Is the Chief Minister saying then, Sir, that in fact no final review has taken place, no new policy has as yet been introduced, arising from the representations made by the Indian community last summer?

HON CHIEF MINISTER:

In fact, the position is that the representations and the situation that arose last summer affected wives and children who had arrived here with a six months visitors permit and subsequently tried to convert themselves into permanent residents and take up employment in clear conflict with the terms of their entry permit and in clear breach of the bond that had been signed. On the advice of the Attorney-General, we have come to the conclusion that the way these things were being drafted left a lot of loopholes which could be exploited. I can tell the House that since then, that is, since March last year, we have had situations of some new visitors arriving in 1990 who are still here. Who have subsequently given birth to children in Gibraltar and who are still seeking to take up employment and obtain permanent residence. Quite frankly, unless and until we have a system where we can ensure that if somebody commits themselves to meeting certain conditions on entry and they honour what they commit themselves to then we are not going to allow anymore in. It is as simple as that.

HON LT-COL E M BRITTO:

Mr Speaker, is this exclusion being applied to all non-EEC Nationals or only to members of the Indian community?

HON CHIEF MINISTER:

We have no other problem area of people wanting to come in as far as I am aware. The situation is that the previous administration created this special privilege for Indian Nationals on the basis that they had a long way to come from India. This privilege is not extended to other nationalities. Other nationalities do not get given six months permits, only Indian nationals. We maintained that privilege position when we took office in 1988 until we discovered, in 1990, that in fact the six months was being converted into companies being established. The conditions attached to the six months permit which state that the person may not seek employment or self-employment was being ignored and people were becoming company directors and then arguing in the Labour Exchange and, again, we cannot understand how this came about, because there appears to be no legal basis for this, they were arguing in the Labour Exchange that if an Indian wife or children of an Indian national became directors of the company that owned the sweet shop or whatever then they no longer needed to have a Contract of Employment and a Work Permit because they were self-employed as directors in the company. Because they were self-employed they could then obtain an indefinite Residence Permit. All these things have come out in the wash, Mr Speaker, as a result of the review being undertaken. The position is that if we restore the system of this special privilege of six months for Indian nationals, which other nationalities do not have, we will only do so if we are sure that the conditions that were attached previously - we have not changed the conditions - can be effectively enforced. It is no good, as far as we are concerned, having a system where you say to somebody: "If you want to come to Gibraltar these are the conditions" and then as soon as they step off the plane they try to change everything that they have agreed to before they left India. That is not acceptable, Mr Speaker.

HON LT-COL E M BRITTO:

Mr Speaker, what is the system with Moroccan nationals and is that any more successful in terms of control?

HON CHIEF MINISTER:

Well, Mr Speaker, the system with Moroccan nationals is that they commute quite frequently backwards and forwards and therefore they do not seek permanent residence. I think, frankly, if you have a situation where the family is living within a day's travel from Gibraltar it is much easier for that family to remain in contact. The special position granted by the previous Government to Indian nationals, as I have said, recognised the cost and the travelling time from India to Gibraltar. With Moroccan families they come on a week's visit and then go away.

HON K B ANTHONY:

Mr Speaker, is the Hon Chief Minister aware that some of the Indian children who were the topic, if you like, of the demonstration last year are still in Gibraltar and their parents are unable to take them even across the frontier into Spain because they run the risk of not being allowed to come back with their children when they return to Gibraltar?

HON CHIEF MINISTER:

Well, the bulk of these women and children, Mr Speaker, in the situation that arose last year, were people who arrived in Gibraltar in 1988 and 1989 and were supposed to have gone back to India after six months. In 1991 they are still here on temporary permits. As I mentioned when we debated this matter previously that in carrying out an exhaustive study of the magnitude of the problem, we discovered that there were people going back as far as 1976 who were still on monthly visitors permits pending a final decision. I am telling the House that we have had people who arrived in 1990 and who have given birth to children in December 1990 and who are still seeking to get their conditions changed. It is not acceptable to have a situation where people before they leave India are prepared to say: "If I arrive in Gibraltar in order to be with my husband or my mother or my son, I commit myself not to seek employment, not to seek to try and stay, not to try and change my conditions" and then no sooner have they stepped off the plane that they immediately start the ball rolling to undo everything they said they would not do. As a consequence of that they may find themselves in a difficult situation in not being able to cross the frontier but that difficulty is not as a consequence of any action on the part of the Government. It is as a consequence that they are still here when they are supposed to have been gone years ago.

HON K B ANTHONY:

Mr Speaker, I thank the Hon Chief Minister for that reply. I am not aware of the total number in Gibraltar but I do not imagine that the numbers can be all that large. Has the Government considered a moratorium for these people and then start from square one?

HON CHIEF MINISTER:

Mr Speaker, I do not think it is as simple as that. I think we need to look at those who have been here for a long time and the extent to which Gibraltar is their home. That, of course, is being looked at in the context of the applications that we have for Permanent Residence and for Nationality. This is a different issue from that of people who have effectively discovered ways of exploiting loopholes in the administrative procedures that were introduced. Because there has not been a change of law. It was simply administrative procedures applied by the Immigration Office. In addition, the exact size of the problem is not known. I have to say that we are at the moment

in the midst of an attempt to reconcile conflicting statistics produced from Insurance Records, from Work Permit Records and from Immigration Records. It has only been possible to start doing this exercise this year because we have only been able to get accurate Social Insurance Records in 1990. We started computerising all Social Insurance Cards in January 1990 and the exercise was completed in December 1990. So, in fact, in December 1990 we discovered who was here in 1989. We are now in the process of trying to discover who was here in 1990. We have done an exercise, for example, with the records in respect of Moroccan workers so far and we have found that of the three lists, that is the people who are officially with Work Permits according to our records; the people who are officially with Insurance Cards according to our records; and the people who are officially in Gibraltar according to our Residence Permits, something of the order of 10% are on all three lists. So I wish I could share the Hon Member's confidence as to how many there are.

NO. 37 OF 1991

ORAL

THE HON LT-COL E M BRITTO

Will Government make a statement regarding the difficulties raised against any possible Gibraltar participation within the British Pavilion at Expo 92?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, I have already made such a public statement. In case the Hon Member opposite missed it, I said that if anybody had a product which qualified as produced in Gibraltar and was of the quality and standard included in pavilions at Expo 92 and could pay the cost of exhibiting, I would be prepared to take it up. Nobody has come forward with any such proposals.

SUPPLEMENTARY TO QUESTION NO. 37 OF 1991

HON LT-COL E M BRITTO:

Mr Speaker, I did hear such a public statement but that however does not answer the thrust of my question. That statement was made as a result of certain reports in the press and arising out of a meeting of the Chamber of Commerce. What I was really after was some comment from the Chief Minister on whether he is aware that such difficulties were raised and if he took any action subsequently to those.....

HON CHIEF MINISTER:

I am saying, Mr Speaker, that I have invited, publicly, anybody that had any difficulty to approach me and nobody has approached me. In subsequent public statements, Mr James Gaggero following the meeting of the Chamber, in fact, said that they had made a tentative inquiry from somebody in London who had expressed a personal opinion about what might be the reaction should somebody be in a position to make an application. Well, Mr Speaker, there are so many qualifying adjectives used in that potential hypothetical situation that it is not something the Members opposite can expect the Government to make a statement on. Government makes statements about matters of fact and as a matter of fact I have invited anybody that wants to take part in Expo 92, and has got a product that would be acceptable in Expo 92 to approach me if he has political difficulties so that we can address the political difficulties which is our business. Nobody has come forward, Mr Speaker, that is the answer.

HON LT-COL E M BRITTO:

Mr Speaker, I hope the Chief Minister will accept that I cannot pursue the question on the matter of fact that what he is telling this House now because what he said in his public statement subsequent to this event is different both in tone and in content to what was said at a meeting of the Chamber of Commerce. However as the Chief Minister was not there and I accept that he cannot deal with it on that basis so I will not pursue the question.

HON CHIEF MINISTER:

Mr Speaker, let me make it absolutely clear that I first heard about this as a result of a report in the press of what is supposed to have happened at the Chamber of Commerce. Nobody has approached me before, during or since that meeting.

MR SPEAKER:

Next question.

NO. 38 OF 1991

ORAL

THE HON A J CANEPA

Having regard to the recent Anglo-Spanish Ministerial talks about Gibraltar, will the Chief Minister make a statement about the possible removal of the frontier fence?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, there are no proposals for the removal of the frontier fence.

The position of the Government continues to be that the only matter requiring discussion with our neighbours is the arrangements for the flow of traffic across the frontier in the area where there is no fence.

SUPPLEMENTARY TO QUESTION NO. 38 OF 1991

HON A J CANEPA:

I am glad to hear that answer. Hypothetically, Mr Speaker, assuming that someone, having regard to the fact that as long ago as 1966, the then Foreign Secretary Michael Stewart offered to the then Spanish Foreign Secretary that they should remove the frontier fence and notwithstanding, in fact, that nothing has happened in the intervening twenty five years, has the Chief Minister requested that should any ideas be aired that he should be consulted on the matter?

HON CHIEF MINISTER:

No, the position of the Government, as I think I made clear in a previous question and I think is reflected in my original answer, is that the actual nature of the fence and the precise construction of it or the repair of the existing one is something that Her Majesty's Government needs to discuss with us and us alone and not with any foreign power. What is logical is that if you have a frontier with any country and you are going to have an opening in the fence that separates it from the other country that you reach agreement so that you both have the opening in the same place. If they have one fence and you have a gate on one part in the fence and they have it in another then you will never be able to go across because the gates are in different places. So it seems to us a sensible practical thing to coordinate with them the best way to handle the movement of people and vehicles between Gibraltar and Spain. However, in the areas where the movement is not supposed to happen, what we choose to put is our business and what they choose to put is their business. I know that there has been comment

about possible alternatives to the fence and which do not translate too well into English. So I will not attempt to do it. However as far as we are concerned this point is not under consideration.

HON A J CANEPA:

Mr Speaker, will the Chief Minister agree that if at any stage in the future there are new arrangements to be made then in that case security considerations and an improvement in traffic flow by having more channels should merit priority.

HON CHIEF MINISTER:

Yes, I believe that the immediate proximity of the airfield so near the area of the fence clearly shows that you cannot just treat it like any other frontier where there is no security area. After all on the Gibraltar side of the North Front airstrip there is a barbed wire fence and that is not a question of it being in a different country, it is simply a question that the perimeter of the airport needs protection particularly in these days where it seems to be such a vulnerable target. But as the Leader of the Opposition has said as far as we are concerned if there is discussion between Her Majesty's Government and the Government of the Kingdom of Spain about the fence then the only discussion that needs to take place is the place where there will be no fence and the place where therefore we would hope they would eventually get round to putting a green channel and a red channel as they suggested way back in 1987 and which still has not happened.

HON A J CANEPA:

Mr Speaker, may I also suggest to the Chief Minister that uppermost in our minds should also be the need to ensure that security arrangements will not just be adequate in respect of the airfield because it is very important that in respect of the RAF Married Quarters as well as throughout Gibraltar so that people will feel that Gibraltar is adequately protected. There is the danger that arrangements will be made just in respect of what is a sensitive area and the rest might be forgotten. I am sure everyone would like to sleep in their beds as comfortably as possible in the knowledge that they are secure.

HON CHIEF MINISTER:

I do not agree with the Honourable Member because as far as I am concerned I am assuming that in fact we are not at risk of invasion from Spain and I am assuming that if such a risk existed the rusted old fence which we have in place would not protect us much. So therefore, I think, there is a need to look at the airfield as potentially a high risk area compared to the rest of Gibraltar. I think

we need to have a situation where we have a fence because there is no logic in having a place where you have to go through Customs and Immigration to cross from Gibraltar into Spain, if on both sides of that area there is open space and everybody can freely move across backwards and forwards whichever way they want. That does not mean that we need to have military protection. I think we need to have an area which is barred to the movement of people and vehicles and an area through which vehicles and people can move. We have to have controls because we are outside the Customs Union. We are talking about a situation where in Europe frontier fences are being removed and we must not say to the rest of the world that unlike the rest of Europe we are afraid to see the frontier removed. It is not that we are afraid, it is that the frontier serves to delineate where Spain ends and where Gibraltar begins. As far as we are concerned that delineation will continue for evermore. Spain will continue to end there and Gibraltar will continue to belong to us for evermore. In terms of where the road is and where the opening is and where the Customs and the Immigration controls are then those are practical things which we need to discuss with our neighbour. In terms of what we put and where we put it to control movement is something which we will decide. Clearly the one that is in place today is not designed to act as protection in terms of Gibraltar's security or in terms of Gibraltar's defence. That is clearly not a function that the fence today is serving and it is not serving that function because there is no longer a perception that there is a risk of a land invasion.

HON A J CANEPA:

I did not have in mind the military aspect. It was more what could be described as the terrorist aspect which is rather more worrying.

MR SPEAKER:

Next question.

NO. 39 OF 1991

ORAL

THE HON A J CANEPA

Will the Chief Minister comment about the Secretary of State's remarks that some aspects of the 1987 Airport Agreement may well need to be updated?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, I cannot say what was in the mind of the Secretary of State when he made this remark but it suggests that the unsatisfactory nature of some aspects of the 1987 Airport Agreement, are beginning to be recognised in the United Kingdom. However, the position of the Spanish Government, to my knowledge, continues to be that they are not prepared to re-consider any element of the 1987 Airport Agreement until it is implemented.

SUPPLEMENTARY TO QUESTION NO. 39 OF 1991

HON G MASCARENHAS:

Will the Chief Minister take the opportunity when he next sees the Secretary of State to raise the matter with him to try to explore what new ideas the Secretary of State may have and may I also suggest that in any case it might be opportune to do so having regard to the likely result of the effect of the motion which is to be discussed later.

HON CHIEF MINISTER:

Well I think it is something Mr Speaker, that we may be able to develop in the course of that motion.

MR SPEAKER:

Next question.

NO. 40 OF 1991

ORAL

THE HON G MASCARENHAS

Will Government state what representations have been made to Her Majesty's Government in respect of the frontier queues, at what level, and what is the British Government's attitude?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, as I stated in answer to question No.119 of 1989, the British Government receives detailed reports of the situation and regularly raises the matter with representatives of the Spanish Government, who claim that there is no deliberate policy on delays and queues and that the situation that develops is the consequence of the volume of traffic crossing the land frontier.

If, in fact, the situation is one where there is a deliberate policy, then obviously there is no reason to suppose that any representations made is going to change it because such policy means that the delay is conditioned by a desire, on the part of the authorities in Spain, to be uncooperative.

SUPPLEMENTARY TO QUESTION NO. 40 OF 1991

HON G MASCARENHAS:

Mr Speaker, what is the Chief Minister's view?

HON CHIEF MINISTER:

Well, I am not sure whether I am supposed to be giving views in answer to questions under Standing Orders, but like most Gibraltarians I am highly cynical of the intentions of Madrid. I think that answers the question.

MR SPEAKER:

Next question.