

GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

30TH APRIL, 1992

NO. 1 TO NO. 128

THE HON P R CARUANA

Since my Question No. 45 of 1991, will the Government confirm that there are no individuals or companies working in Gibraltar who have been exempted from income tax or from the obligations imposed by the PAYE regime established under the Income Tax Ordinance?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I am not sure whether it is intentional, but the question now posed is framed in somewhat different terms to Question No. 45 of 1991 which limited itself to exemption from tax not otherwise provided for under statute law. The question now posed does not have that limitation.

The principal area of exemption from income tax is provided for in the Companies (Taxation and Concessions) Ordinance whereby a company may be granted a tax exemption certificate. Such exemptions can and do relate to companies carrying on work of an offshore nature but which are nevertheless based in Gibraltar. For example, 'B' Licence banks are generally tax exempt.

Similarly, the directors of such companies are exempted from tax provided they do not carry out work in Gibraltar for more than thirty days per year.

One other area of exemption that perhaps I should mention is that specifically provided for under Section 66 of the Income Tax Ordinance by which companies or individuals are acting as consultants, but providing the service from outside Gibraltar. They may be relieved from tax under these circumstances if the Commissioner of Income Tax is satisfied that they are bearing tax in their jurisdiction of residence.

Since Question No. 45 of 1991 was tabled there has been no new criteria of any sort introduced to exempt any individuals or companies from payment of tax or PAYE. Where this may have happened in the intervening period it has only happened under the provisions of the law as established for many years. There are no plans to alter this.

SUPPLEMENTARY TO QUESTION NO. 1 OF 1992

HON P R CARUANA:

In reply to the Hon Financial and Development Secretary, do I take it from his answer then that with the exception of the situation that he has described under the Companies (Taxation and Concessions) Ordinance (of course, my question would more probably have been limited to exclude that, it is obvious) that there are, in fact, no persons working in Gibraltar and no companies that are exempt from the PAYE regime, either in its application or by subsequent remission to tax pay?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

That is correct, Mr Speaker.

MR SPEAKER:

Next question.

THE HON P R CARUANA

Mr Speaker, will the Government resume the publication of import statistics broken down into class of goods?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I would refer the Hon Member to Question No.145 of 1990 in response to which the Chief Minister indicated that the Government does not publish information on the amount of duty from individual products and does not intend to since it does not believe it to be in Gibraltar's interests to do so. It also does not publish as a matter of course details of imports for individual products and does not intend to do so.

SUPPLEMENTARY TO QUESTION NO. 2 OF 1992

HON P R CARUANA:

Mr Speaker, I have not looked at Hansard in relation to Question No.145 of 1990. But will the Honourable Member say which of Gibraltar's interests are safeguarded in this manner?

HON CHIEF MINISTER:

Mr Speaker, it is the judgement of the Government that it is not in Gibraltar's general interests to give detailed breakdown of statistics which can be used by other people who are inimical to Gibraltar's interests. It is judgement. There is no absolute objective rule that can be applied.

HON P R CARUANA:

Mr Speaker, as it is a matter of judgement, I cannot say that one disagrees. I do not accept the logic behind that although I think I understand what the Honourable the Chief Minister is getting at. Would he, nevertheless, agree to make that information available privately to those members of the trade who require it for the organisation of their business activities?

HON CHIEF MINISTER:

Yes, Mr Speaker, if there are local businessmen who wish to have information on a particular product to assist in the development of their business, that can be provided on a confidential basis.

HON P R CARUANA:

Thank you.

30.4.92

NO. 3 OF 1992

ORAL

THE HON P R CARUANA

How much money does the Government intend or estimate that it will need to borrow during the year ending 31st March, 1993?

ANSWER

THE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, details of Government's expenditure and financing plans for the year 1992/93 are given in the Estimates that I have tabled today and which will be subject to subsequent debate by the House.

However, I can say that it is currently envisaged that there will be a need to take up the remaining provision for debt within the £100m statutory ceiling in the course of 1992/93. At the present time, Government does not believe that it will need to borrow beyond the £100m limit in the course of 1992/93.

NO. 4 OF 1992

ORAL

THE HON P R CARUANA

How much did the Government collect in tax from companies under Sections 6, 40 and 44 of the Income Tax Ordinance during each of the years ending 31st March, 1991 and 1992, and of those figures how much has been paid into the Gibraltar Investment Fund?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, I am assuming in responding to this question that in referring to the collection of tax from companies the Hon Member does not have in mind PAYE deducted by those companies and passed on to the Commissioner of Income Tax. I am also assuming that the reference to Section 44 of the Income Tax Ordinance is in error and that what the Hon Member is referring to is Section 41 which deals with Income Tax borne by qualifying companies.

On these assumptions, the amount of tax collected and paid over to the Investment Fund in the two years in question are as follows:

1990/91 - £6,707,455

1991/92 - £7,602,966

The accounts for 1991/92 are not yet closed and the figures for that year are therefore provisional.

SUPPLEMENTARY TO QUESTION NO. 4 OF 1992

HON P R CARUANA:

Mr Speaker, in respect of those monies, is the Hon Financial and Development Secretary totally satisfied that he is able to discharge his duties under Section (3) of the Public Finance (Control and Audit) Ordinance to ensure that full account thereof is made to the House?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, in making these transfers I am perfectly satisfied that I am acting within the provisions of the law.

HON P R CARUANA:

Mr Speaker, the answer that the Hon Financial and Development Secretary has just given me, of course, assumes that he has taken into account Section 63 of the Gibraltar Constitution Order. Will the Hon Financial and Development Secretary confirm that the effect of monies, referred to in his answer, being paid into the Gibraltar Investment Fund and not into the Consolidated Fund, is that they may subsequently be spent by the Government without the need of an Appropriation Ordinance of this House?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, I understand that there is a subsequent question that deals with this matter and that the Hon Chief Minister will be dealing with it in that context.

MR SPEAKER:

Next question.

QUESTION NO.5 OF 1992 NOT PROCEEDED WITH

NO. 6 OF 1992

ORAL

THE HON LT-COL E M BRITTO

Given its answer to Question No. 46 of 1991, has the Government now any plans or intentions to privatise any Government Department and, if so, which?

ANSWERTHE HON THE FINANCIAL AND DEVELOPMENT SECRETARY

Mr Speaker, the position remains as given in my response to Question No. 46 of 1991. There are a number of areas that are subject to review and discussion but about which firm decisions have yet to be taken.

I think I should point out to Hon Members, however, that in the course of supplementaries to Question No. 46 of 1991 I was invited to give my own initial perception and impression of the results of deploying some of the audit of Government's accounts to the private sector. I indicated that whilst experience appeared to be patchy I felt that there were some positive signs for the future. The Principal Auditor has subsequently indicated to me, based on his own review of audit reports submitted to him, that he is less sanguine about the results of this exercise. It is not yet clear whether some of the negative results that he perceives are fundamental or simply the result of teething problems, but he has been asked to submit his views which will be taken into account in developing policy in this area.

SUPPLEMENTARY TO QUESTION NO. 6 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, in supplementaries to Question No. 46 of 1991, the Hon Financial and Development Secretary specifically mentioned as those areas being considered, first is the Treasury and secondly the Companies Registry. Has any progress been made in those specific areas? Are we nearing any decisions being taken or is it still nebulous, as the answer was then, that the areas were being looked at generally?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Mr Speaker, those two areas still are very much under consideration. A lot of work has been done in considering options but at this stage firm decisions have not yet been taken.

HON LT-COL E M BRITTO:

Mr Speaker, can the Hon Financial and Development Secretary identify any other areas that are being considered?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Perhaps, one other area I might mention, in the context of the Company Registry as well, is the Shipping Registry as an area that is being considered in the same context.

HON P R CARUANA:

Mr Speaker, will the Hon Financial and Development Secretary say the degree of privatisation and the functions of the shipping registry that has been considered for privatisation and in what manner? Understanding, of course, that they are nothing more than proposals under consideration and not necessarily firm intentions at this stage.

HON FINANCIAL AND DEVELOPMENT SECRETARY:

In essence, Mr Speaker, all of the Registry. Bringing the two Registries together.

HON P R CARUANA:

I am sorry, together with what?

HON FINANCIAL AND DEVELOPMENT SECRETARY:

Together with the Companies Registry, Mr Speaker.

MR SPEAKER:

Next question.

30.4.92

NO. 7 OF 1992

ORAL

THE HON LT-COL E M BRITTO

Is Government aware that the printed Laws of Gibraltar have become practically unusable given the large amount of new legislation and amendments and will Government commission a re-print on a loose leaf page basis?

ANSWER

THE HON THE ATTORNEY-GENERAL

Answered together with Question No. 8 of 1992.

THE HON LT-COL E M BRITTO

Given the large number of Regulations currently in force, will Government consider publishing and updating an index of Regulations?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, I agree that, notwithstanding the fact that the laws were revised and reprinted in 1984, subsequent amendments have made it difficult to keep them up to date.

Instead of reprinting them once more, the Government is carrying out a study on having legislation computerised as is done in other jurisdictions.

With regards to Regulations and subsidiary legislation generally the Hon Member's suggestion will be given consideration but it will obviously depend on whether computerisation proceeds or not.

SUPPLEMENTARY TO QUESTION NO. 8 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, can we have any indication of what sort of time-scale are we talking about? Are we thinking about thinking of computerising or are we on the point of making a decision?

HON ATTORNEY-GENERAL:

We are certainly not on the point of making a decision, Mr Speaker, this is not something which one can decide in a day or two. I can tell the House that I have recently attended a meeting in Singapore and I was quite fascinated by a demonstration which was given on the computerisation of the Laws in several Commonwealth jurisdictions which had been carried out and in Singapore and Bermuda in particular. I have presented to Government the papers which I have brought back from that Conference. They are bulky and weighty and there is a great deal to consider before Government can possibly be in a position to decide to what extent, if at all, computerisation can properly and suitably be proceeded with.

HON LT-COL E M BRITTO:

Mr Speaker, can the Learned Attorney-General give us any indication, even if a very rough one at this stage, what the comparative cost of computerisation against a normal re-print would be likely?

HON ATTORNEY-GENERAL:

I am not sure about the cost of re-printing, Mr Speaker, because estimates have not been obtained. I can say, however, that if we take Bermuda, which has recently completed the computerisation of its laws. It had its primary legislation and its subsidiary legislation all computerised. It had also its judgement both in civil cases and criminal cases computerised over the past twenty years, I believe it is, and the total cost in effecting that was US\$ 423,000. On the present rate of exchange that represents approximately £¼m.

HON LT-COL E M BRITTO:

Mr Speaker, speaking personally, I certainly welcome the concept because as for someone trying to carry out his duties from this side of the House, I am sure Members opposite will appreciate the difficulties that are sometimes experienced in keeping up-to-date on our current law books and it would therefore obviously make our job, as an Opposition, very much easier if this were to be carried out. In that sense, speaking personally, and I think also on behalf of my colleagues, I would hope that the Government gives favourable consideration to such an option and that we see something coming into practice very soon.

HON P R CARUANA:

Mr Speaker, that the answer that the Learned Attorney-General has given does not provide any sort of reassurance to the practitioners that have to make regular use of the laws of Gibraltar. He has indicated that the Government is looking into the idea of completely recomputerising the laws. I would point out to the Learned Attorney-General Mr Speaker, that the laws were designed in such a way that they were put together in loose leaf bound editions. The idea being that annual updates would be printed and since 1984, Mr Speaker, only one single annual update has been made, as a result of which, the present volumes of the laws are completely outdated and almost unusable. The question that I would like to put to the Attorney-General, Mr Speaker, is why the Attorney-General's Chambers have not kept up to date the annual updates of the laws and what plans he has in this respect pending these thoughts about computerisation that apparently they are making in respect of which no plans have yet been made.

HON ATTORNEY-GENERAL:

A most interesting Supplementary Question, Mr Speaker, and I agree with the views expressed by the Honourable Member that the laws are in an absolute mess at the moment. The Traffic Ordinance and the Income Tax Ordinance, in particular, to quote only two examples are almost impossible to follow

and I, as much as anyone, have had the greatest difficulty in being called upon day to day to advise Government Ministers and Government Departments what the law is in certain particular fields and I have written to and I have nagged at the Gibraltar Chronicle on numerous occasions. I threatened, I bulldozed, I have endeavoured to persuade, I have used every tactic at my disposal, but they are subject to constraints and my department is subject to constraints. I would happily take a large number of additional employees tomorrow if Government was able to make them available to me and I would set them to work in that particular field, but it is pie in the sky, Mr Speaker, as the Honourable Member well knows and it is quite true that what was intended to happen when the laws were reprinted in 1984 has not happened. That is a fact which cannot be disputed and that is precisely why Government now, I am happy to say, is considering the question of computerisation. It is not for me to say whether it will go ahead. That is for Government to decide after all information has been considered but I personally hope that computerisation will be proceeded with to the fullest possible extent.

HON P R CARUANA:

Mr Speaker, the Learned Attorney-General has described the position which I am sure the Members opposite will agree is unacceptable that the laws of Gibraltar are in a complete mess. I am glad he has referred to the Income Tax Ordinance because that is the one that I had in mind as a law which is now mainly contained in subsidiary legislation, the Ordinance having been effectively emptied of most of its contents of substance. In the meantime, therefore, so that the citizens and foreign investors in this community may themselves know with certainty what the law is, will the Government in the meantime at least consider publishing an index of regulations. I am certain that at least the Honourable Attorney-General's Department will have been able to keep up with the plethora of regulations emanating from the Government so they, at least, should be in a position to provide an index be it a manually produced index of regulations currently in force under the headings perhaps of the Ordinance so that people at least know the existence of some of these regulations?

HON ATTORNEY-GENERAL:

Mr Speaker, I am sure there is a massive amount more subsidiary legislation in, for example, the United Kingdom and indeed in many other jurisdictions and I am not aware of any index existing there. I certainly know that indices of subsidiary legislation do not exist in other large Commonwealth jurisdictions, such as Australia, New Zealand and more particularly, Canada. I am certainly not prepared to advise the Government to consider preparing an index at this stage if there is any possibility, and there is a possibility, of course, as I have endeavoured to explain, that computerisation will go ahead. I think that will be a totally unnecessary expense.

MR SPEAKER:

Next question.

NO. 9 OF 1992

ORAL

THE HON LT-COL E M BRITTO

How many 50 cc motorcycles were reported stolen in each of the three calendar quarters prior to the date of compulsory registration of these motorcycles in 1991 and what have been the comparative figures in each of the three subsequent calendar quarters?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, in fact compulsory registration of motorcycles with an engine capacity up to 50 cc has existed since 1st December 1990. This was effected by the Traffic (Licensing and Registration) (Amendment) Regulations 1990 - Legal Notice No. 166 of 1990.

As the information supplied to me gives the figures on a calendar quarterly basis, I propose to give the figures for the whole of 1990, and for the first three quarters of 1991. That is slightly more information than the Honourable Member has requested, and the details are as follows:-

<u>Quarter ended:</u>	<u>Reported stolen:</u>	<u>Recovered:</u>
31st March 1990	54	27
30th June 1990	47	29
30th September 1990	49	17
31st December 1990	44	23
	<u>194</u>	<u>96</u>
31st March 1991	78	60
30th June 1991	50	17
30th September 1991	39	20
	<u>167</u>	<u>97</u>

SUPPLEMENTARY TO QUESTION NO. 9 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, first of all can the Attorney-General confirm that according to his answer although the law made registration obligatory in December, from what he has told us, am I not right in saying that it was only until June 1991 that the law was fully applied?

HON ATTORNEY-GENERAL:

I understand that is correct, Mr Speaker.

HON LT-COL E M BRITTO:

And in that case, Mr Speaker, in due of the spirit of my question, has the Attorney-General available to him the figures for the Quarters ended December 1991 and March 1992?

HON ATTORNEY-GENERAL:

I think, Mr Speaker, I do have certain figures for subsequent periods. Yes, Mr Speaker, I can give certain figures. For the Quarter ended 31st December 1991 a total of 35 vehicles were reported stolen and 15 were recovered. I am in a position as a result of information given to me by the Police, Mr Speaker, to additionally say that for the Quarter ended 31st March 1992 40 vehicles were reported stolen and 22 were recovered and thereafter I only have the figure that to the 24 April, so from the 1st to the 24th April 13 vehicles were reported stolen in that period and 5 were recovered. I hope that information assists the Honourable Member.

HON LT-COL E M BRITTO:

I thank the Learned Attorney-General for his detailed explanation, Mr Speaker. At the time that the Traffic (Amendment) Ordinance (No.2) of 1990 was debated, one of the reasons given for the introduction of this Ordinance was the possibility of reducing the number of thefts. Can the Learned Attorney-General say, Mr Speaker, whether the Police are satisfied with what seems to be a slight reduction in the tendencies before December 1990 and do they have any plans or intentions to improve the situation of the continuing problem of motorcycles being stolen.

HON ATTORNEY-GENERAL:

I do not know if I can answer that, Mr Speaker, but can I endeavour to do so by firstly saying that I do not think the Honourable Member, with respect, is correct when he suggests what he thinks the intention of the legislation was. My understanding is that the compulsory registration for such vehicles was effected to assist the Police in tracing offenders because if my wife or anyone dear to me was knocked down by such a vehicle, I would want the offender to be discovered and I would wish him to be dealt with as according to the law for any transgression of the Traffic Ordinance he may have committed. That is, certainly, my understanding of the spirit leading to compulsory registration of these vehicles. I do not think, Mr Speaker, the Police can ever be satisfied that the system is under control when any sort of vehicles have been stolen and only a proportion of those vehicles are being recovered. I said in the Supreme Court as recently as October of last year that the citizens of Gibraltar must wake up to the fact that this is no longer a place where you can just leave your car unlocked or leave your motorcycle unlocked. It is no longer a place where you can leave your house unlocked. That used to happen

when I came here in 1984 before the frontier was fully opened. The vast majority of the people of Gibraltar, of course, do realise that but unfortunately there are others who do not, Mr Speaker, and very often theft of such motorvehicles are occurring because of the carelessness of their owners.

HON LT-COL E M BRITTO:

Mr Speaker, the Learned Attorney-General is both correct and incorrect. According to the Hansard of the debate on the Traffic (Amendment) Ordinance 1990 the Honourable Minister for Government Services, the Honourable Juan Carlos Perez said indeed what the Attorney-General has just said, that evidence exists that and I quote, Mr Speaker: "Evidence exists that accidents have occurred and those involved have not been able to be identified". But he also said "Another factor that has been brought to the attention by the Police has been the question of stolen motorbikes. The Police claim that it is very difficult to find a particular bike or to prove that a particular moped was stolen given the non-registration of vehicles" and that was the point of my question, Mr Speaker, but obviously there is no information available by what the Attorney-General has said.

HON ATTORNEY-GENERAL:

Mr Speaker, I do not disagree for a moment that registration of vehicles assist the Police in tracing and recovering vehicles, of course it does. But what I was endeavouring to say a moment ago is that the primary reason for compulsory registration being effected was to assist the Police in tracing offenders and that is still the case.

HON LT-COL E M BRITTO:

Mr Speaker, on this question of stolen motorbikes, would the Government consider, in view of the fact that periodic Police checks on people carrying documentation introduced some time ago appear to have been discontinued (or may continue, but I am not aware that they are continuing) introducing what is available in some other places and that is some sort of metal bar in parking space specifically for motorcycles to allow owners to do precisely what the Attorney-General has been indicating and that is to chain their motorcycle not just around the wheel but to chain them onto a fixed horizontal bar in the motorcycle parking bay?

HON J C PEREZ:

Mr Speaker, the Government will not consider what has been suggested by the Honourable Member because the onus of safeguarding your property is on the individual and there are methods and systems by which this can be done and the systems are able to secure their vehicles in different manners and we do not think that the rest of the population should be subsidising security for those owners.

HON P R CARUANA:

Mr Speaker, I hope that the House will bear with us whilst we persevere on this apparently trivial subject but in fact it is not because the result of the fact that people in Gibraltar feel that their motorcycles are very exposed to being stolen is that they tend to bring them within the buildings at night and that in turn is causing, as the Honourable the Minister for Housing, who is not present in the House, well knows, tension within the Housing Estates as motorcycle owners bring their motorcycles physically into the Estates and therefore, Mr Speaker, hence the interest that we take on this side of the House in this subject. Mr Speaker, the Honourable Members opposite will presumably agree that the motorcycles not recovered go across the border. Although the Police deserve to be commended for their detection rate in the first Quarter of 1991 when they almost recovered all the motorcycles that were stolen, the fact of the matter is the balance, Mr Speaker, probably goes across the border. Mr Speaker, without wishing to aggravate the frontier queue problem which thankfully appears to be getting better, does the Government consider that there is any potential for imposing some sort of document check on motorcyclists exiting Gibraltar that would give them a better chance of detecting stolen motorcycles before they leave the jurisdiction because once they leave the jurisdiction, of course, the Police have got no chance of improving their recovery rate.

HON J C PEREZ:

Mr Speaker, it is up to the Police whether they want to do this or not. I will pass on the Honourable Member's suggestion to the Commissioner of Police but let me say that if he has got some information that we do not have on vehicles passing the frontier his responsibility is to report it the Honourable the Attorney-General.

MR SPEAKER:

Next question.

NO. 10 OF 1992

ORAL

THE HON LT-COL E M BRITTO

In view of recent warnings from the Judiciary that persons found guilty of driving without appropriate insurance will be liable to imprisonment, will Government consider erecting a signboard at the frontier warning foreign drivers of the requirement to have adequate insurance?

ANSWERTHE HON THE ATTORNEY-GENERAL

Mr Speaker, any person who commits the offence of driving without appropriate insurance has been liable to imprisonment under the Laws of Gibraltar since 1986 and therefore, recent warnings do not alter the legal position. My understanding is that such offences can also be punished by imprisonment on the other side of the frontier. In Government's view it is quite unnecessary to erect signboards or otherwise give warnings of those offences which carry potential imprisonment.

SUPPLEMENTARY TO QUESTION NO. 10 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, whilst obviously agreeing with the Honourable Attorney-General that the liability for imprisonment has been there since 1986, he will no doubt agree with me that he has probably never been used until fairly recently when the Judiciary specifically said that in view of prevailing and continued offences of this nature he warned that future offenders might be liable to imprisonment. In view of this warning it seems to me, Mr Speaker, that being aimed at particular offenders who cross the frontier frequently and who should know about the offence and do not and ignore it and therefore more liable to imprisonment, that it should be made clearer to those drivers who cross the border on a once only basis coming from further afield and not necessarily from Spain but from other countries, should be made aware to them that this offence in Gibraltar is more likely to carry an imprisonment term than in other countries.

HON ATTORNEY-GENERAL:

Mr Speaker, I do not accept for a moment firstly that it is more likely to carry imprisonment than in other countries as the Honourable Member suggests. When I began my legal career, what seems like one hundred years ago, one of the very first things I learned is that ignorance of the law is no excuse and everyone who drive their vehicle whether it be a motorcycle or a car or a double decker bus has an obligation to know what the law is and he or she has an obligation to comply with the law, and if you enter somebody

else's country or somebody else's territory you have an obligation to know what the laws of that territory are and to what extent, if at all, they differ from the laws of your own territory. What am I supposed to do, Mr Speaker, am I supposed to rush to the Chief Minister and say put up fifty-five signs at the frontier saying that if you pinch a bar of chocolate from the kiosk in Casemates Square you will be liable to imprisonment, if you steal a shirt from British Home Stores you will be liable to imprisonment, if you burgle someone else's house you will be liable to imprisonment, is there room for all such signs? There is not, Mr Speaker, and the idea, with great respect, is just not at all feasible.

HON P R CARUANA:

Mr Speaker, with the greatest respect, the Learned Attorney-General has missed entirely the point of the question, which is not to invite a lecture on what the law of the land is because at least some of us on this side of the House know it. The point is if what people expect the punishment would be. We know what the penalties have been and we know that they have not been changed. The fact of the matter remains that people do not expect and have never hitherto in Gibraltar been warned or threats of imprisonment and no one has ever been in prison in Gibraltar for not having an insurance policy. Couple that with the fact that it is in the interests of citizens of this community that people should understand the importance that the Judiciary gives in Gibraltar for that offence given that if there is an accident and there is no insurance there is no recourse against the driver of the vehicle, the point that has been made is that if we alert visitors to Gibraltar of the particular importance that is now attached to that offence as reflected in the Magistrates warning given from the bench that that would protect the community and indeed the visitors to Gibraltar who should expect stiffer penalties than they might be accustomed to expect at home or indeed previously in Gibraltar.

HON ATTORNEY-GENERAL:

Mr Speaker, first of all the penalty or the maximum penalty for any offence which is criminalised in Gibraltar is set by the Legislature. This House of Assembly is not set by the Judiciary but the Judiciary then rightly of course is given the discretion in each and every case when deciding what the appropriate sentence is to pass and I have always regarded driving without insurance or permitting someone else to drive your vehicle without insurance as an extremely serious offence and I think the warning has come perhaps far too late in the day and it should have been given a number of years ago, that if you take your vehicle out on the road and you drive it knowingly without insurance cover or you let somebody else do that for you, then what happens is that you are involved in an accident and someone is seriously injured and entitle to pursue a claim to damages?

Well you do not have the strength of the insurance company around you and the claimant is left effectively without a suitable remedy. That is why, Mr Speaker, it is a serious offence and this Legislature has made it a serious offence by enabling the Judiciary in appropriate cases to pass a sentence of up to six months imprisonment and it is right that the Judiciary should begin in each and every case of driving without insurance to think, well is a sentence of imprisonment appropriate here and if so how long? Or can I properly deal with the case in some other way, that is, by the imposition of a fine but what I say, Mr Speaker, is this. Let the message go out to everyone who drives without insurance that they are prima facie liable to imprisonment and that is what they can expect if they commit that offence and if they get away with something less than that well jolly good luck to them but I see no necessity to publicise that. We all know that if we drive without insurance we face the possibility of losing our liberty.

MR SPEAKER:

Next question.

NO.11 OF 1992

ORAL

THE HON L H FRANCIS

Does Government have any plans to reconsider the introduction of school meals?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE AND YOUTH AFFAIRS

Sir, the Government has never considered the introduction of school meals.

SUPPLEMENTARY TO QUESTION NO. 11 OF 1992

HON L H FRANCIS:

Mr Speaker, will the Government consider the introduction of school meals seeing as there are numerous benefits to be had from this, not only in freeing mothers who might now have to work in view of the large level of home-ownership going on and the fact that it eases traffic over the lunch period considerably and that it might provide some little extra income for schools for extra-curricula purposes, extra equipment etc.

HON J L MOSS:

Mr Speaker, it is a different question in my opinion to the original question, but the answer is no.

NO. 12 OF 1992

ORAL

THE HON L H FRANCIS

How many students left the Comprehensive Schools at the age of 15 in each of the last three years?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE AND
YOUTH AFFAIRS

Sir, the figures for students leaving the Comprehensive Schools at the age of 15 are as follows:-

1988/89 - 68 students

1989/90 - 40 students

1990/91 - 47 students

SUPPLEMENTARY TO QUESTION NO. 12 OF 1992

HON L H FRANCIS:

Mr Speaker, does Government have any plans to raise the minimum school leaving age?

HON J L MOSS:

No, Sir.

MR SPEAKER:

Next question.

NO. 13 OF 1992

ORAL

THE HON L H FRANCIS

Is Government satisfied that the seriously deteriorated condition of the building housing St Bernard's School is not detrimental to the potential for academic achievement of its pupils and is Government prepared to refurbish or resite the School?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE AND
YOUTH AFFAIRS

Sir, the Government has been undertaking a programme to refurbish schools since 1988. The results are there for all to see. Within this programme in the region of £50,000 has been spent on St Bernard's and a further amount is planned this year. There is no site available within the catchment area to resite the School.

SUPPLEMENTARY TO QUESTION NO. 13 OF 1992

HON L H FRANCIS:

Mr Speaker, we are pleased to learn that there is more money to be spent on St Bernard's School as we had received notices of concern from parents. Thank you.

MR SPEAKER:

Next question.

NO. 14 OF 1992

ORAL

THE HON L H FRANCIS

Will the Government increase the schools' capitation allowance by sufficient to reverse the freeze of the last two years and restore the purchasing power of the capitation to at least its level of two years ago?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE AND
YOUTH AFFAIRS

Mr Speaker, the schools' capitation allowance has not been frozen for the last two years, or at any point since the GSLP took office.

SUPPLEMENTARY TO QUESTION NO. 14 OF 1992

HON P R CARUANA:

Mr Speaker, whilst I am delighted to hear the answer, the Hon Minister should understand that the information on which this question is based has been given publicly by a senior member of the teaching profession as Deputy Headmaster and I can only therefore assume that the person is mistaken or that the question has been formulated in a way that allows the Hon Member to answer that. The point of the question being, Mr Speaker, that the sums of money now available for the schools to spend, as they see fit, per head of pupil has not been increased in line with inflation over the last three years. That is what I understand the question to which the Hon Member has answered in the negative and I am delighted that he has been able to answer it in the negative.

HON J L MOSS:

Mr Speaker, it proves that Deputy Headteachers like Leaders of the Opposition can get their facts wrong.

MR SPEAKER:

Next question.

NO. 15 OF 1992

ORAL

THE HON L H FRANCIS

Following Government's answer to Question No. 56 of 1991, are Gibraltarians now eligible to apply for United Kingdom Access Funds in place of the old Housing Benefit paid by the United Kingdom Government which is no longer available to Gibraltar students and, if not, has Government created a separate Access Fund for local students who experience particular difficulties?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE AND
YOUTH AFFAIRS

Mr Speaker, a reply from the Foreign and Commonwealth Office on whether Gibraltar students are eligible to apply to Access Funds within the United Kingdom is expected. Arrangements are already in place to create a separate Access Fund for local students should this reply prove to be negative.

SUPPLEMENTARY TO QUESTION NO. 15 OF 1992

HON L H FRANCIS:

Mr Speaker, I welcome the Hon Minister for Education's reply in the positive. But could he give an indication of the timescale involved since every month that goes by involves extra hardship for those students who indeed qualify for such Access Funds?

HON J L MOSS:

Yes, since a reply is expected in the not too distant future, the separate Access Funds will be in place by the following academic year, ie September, 1992.

MR SPEAKER:

Next question.

NO. 16 OF 1992

ORAL

THE HON L H FRANCIS

Mr Speaker, does the Government plan to open any new Nurseries and, if so, in what district of Gibraltar?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE AND YOUTH AFFAIRS

NO, Sir.

SUPPLEMENTARY TO QUESTION NO. 16 OF 1992

HON L H FRANCIS:

Mr Speaker, is the Minister aware of a petition from mothers in the South District specifically asking for a Government nursery to be set up and has he any plans, on the other hand for the Westside area where large numbers of young families will now be housed and there is no provision for their children in that area.

HON J L MOSS:

I am not aware of having received such a petition, Sir, but the answer is still no.

HON P R CARUANA:

Mr Speaker, is the Honourable Minister aware that one of the side effects of the welcome policy of the Government of extending home-ownership, is that mothers now have a greater need to work and that that itself has as a side effect that mothers now have great problems in relation to the placing of their children during the working day that has hitherto been the case in this community? Given those facts, which are a reality for many young persons in Gibraltar, will the Honourable Minister, at least, agree to consider the possibility of making nursery education more easily available to a greater number of people, (so that no one should think that I am not expressing my own leading question) by which I mean, considering making nursery education free as part of the services offered by the Honourable Member's Department rather than just saying as he has hitherto, I understand, that there is private nursery education available. The point is not that they are available but that they should be available free.

HON J L MOSS:

Mr Speaker, as the Honourable the Leader of the Opposition has just pointed out quite rightly, there are a lot of private nurseries in Gibraltar. I am told that the fees do not compare unfavourably with nurseries elsewhere in Europe and whilst I appreciate the value of his words insofar as

working mothers are concerned, the answer is still that that is not in itself a reason for opening a Government Nursery and for spreading out the resources of the Department of Education more thinly rather than improving the quality that we already have.

HON P R CARUANA:

Yes, Mr Speaker, perhaps the Honourable Minister should ask for his budget to be increased rather than try to spend what he has more thinly. But, Mr Speaker, do I understand then that the Honourable Member is firmly persuaded of the virtues of private education when it comes to nurseries but not in other aspects of education or indeed social services?

HON J L MOSS:

Mr Speaker, my personal feelings do not come into this at all, whatever the Honourable the Leader of the Opposition might think, and I am glad to say that in terms of the Government I could well be considered Mr Moneybags because I have never had any problems in increasing my budget, but there are priorities and there are difficulties and obviously there are other areas in which we feel we have to spend money on and not in creating new expenditure in opening up more nurseries when the fact that there are more working mothers means that there are more people who can actually afford nursery education.

HON H CORBY:

Mr Speaker, will the Minister please state if there are vacancies in Government nurseries or are they all taken up by the families of the...

HON J L MOSS:

Mr Speaker, with all due respect, there is another question following which I will be providing that information.

MR SPEAKER:

Next question.

NO. 17 OF 1992

ORAL

THE HON L H FRANCIS

Mr Speaker, how many nursery places are available in each Government Nursery and how many children are on waiting list for each Nursery?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE AND YOUTH AFFAIRS

Mr Speaker, there are 90 places at St Bernard's Nursery and 60 places at St Paul's Nursery. At present there are thirteen children on the waiting list at St Paul's and none at St Bernard's.

SUPPLEMENTARY TO QUESTION NO.17 OF 1992

HON L H FRANCIS:

Mr Speaker, does the Honourable Minister for Education consider this a satisfactory state of affairs?

HON J L MOSS:

Yes, Sir.

HON L H FRANCIS:

Mr Speaker, perhaps then the Minister would like to communicate that fact to the thirty odd parents awaiting places for their children.

HON P R CARUANA:

Mr Speaker, does the Honourable Minister for Education consider that the relatively low number (although thirteen peoples' interests are important of course to the thirteen people but in the global sense, it is not many) reflects the number of people that would like to put their children in state education or the number of people that would be prepared to persevere notwithstanding the fact that they know that they have not got much chance? Surely he does not believe that there are only thirteen people who require this service.

HON J L MOSS:

Sir, I would remind the Honourable Leader of the Opposition that we are talking about nurseries. I have absolutely no idea of what every single person in Gibraltar thinks. What I am absolutely convinced is that if you offer somebody the chance to have a free nursery place or you ask them to pay, then, all things being equal with people looking

after their pennies, most people would say - "Yes, I prefer to have it free". They would also prefer to have free legal advice and that would put the Honourable Member out of a job.

HON P R CARUANA:

Not if you open the Citizens Advise Bureau.

MR SPEAKER:

Next question.

NO. 18 OF 1992

ORAL

THE HON H CORBY

Does the Government consider that a Training Centre would be helpful to enable Gibraltarians to acquire basic trades or to re-train in other trades in order to fill jobs now undertaken by other nationals?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE AND YOUTH AFFAIRS

Yes Sir, it is helpful.

SUPPLEMENTARY TO QUESTION NO. 18 OF 1992

HON H CORBY:

Will the Honourable Minister state when this Training Centre is going to be in existence?

HON J L MOSS:

If the Honourable Member actually heard my answer I did answer in the present tense. I said "it is helpful". We have had, in fact, a Training Centre in place since 1990 which we have used for construction courses and we are looking actively at the possibility of extending it to other trades.

HON H CORBY:

Mr Speaker, my question is related to the unemployment that is going to become the norm in Gibraltar inasfar as the people from the Dockyard who have been out of a job are concerned and the MOD cuts that are envisaged. It is important that we have our own workforce to take over skills and all the jobs that are now taken by other nationals. We need a Gibraltarian workforce to undertake those jobs and so be re-employed in the sector.

HON J L MOSS:

Mr Speaker, I am not too sure how relevant this supplementary is to the question, but the fact of the matter is that, yes, I do agree that training has to be provided but it has to be training for real jobs not training in what we perceive are going to be jobs. So, whenever we do run a training course at the Training Centre, it is because we know for a fact that there are going to be vacancies arising in that sector. What I do not think that we can legally do is to actually sack people who are already in employment and I am sure that the Opposition would have a lot to say about that if we were to start sacking people from other nationalities who have jobs and employ Gibraltarians instead.

HON H CORBY:

Mr Minister, I am not talking on a short-term basis. I am talking on a long-term basis and I have heard much from the Chief Minister about this kind of multi-training scheme in the media.

HON J L MOSS:

Yes, Sir. The answer to the basic principle is, yes, and the answer is we already have a Training Centre which is looking after those interests.

MR SPEAKER:

Next question.

THE HON P R CARUANA

How much money did Government collect from the Training Levy in the financial year ended 31st March, 1992, and how much is held in that Fund?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE AND YOUTH AFFAIRS

Mr Speaker, the amount collected from the Training Levy in the year ended 31 March 1992 was approximately £1.4m.

The latest available information on the balance held in the fund is £1.452.37.

SUPPLEMENTARY TO QUESTION NO. 19 OF 1992

HON P R CARUANA:

Mr Speaker, is the Honourable Minister for Education able to tell this House on what expenditure other than the payment of the wages in the Cadet Scheme, are these revenues applied to?

HON J L MOSS:

Yes, Mr Speaker, basically it is for running the different training courses which are operated by the Training and Employment Board, some of which, in fact, are run in the Training Centre that I mentioned earlier on in the answer to the previous question.

HON LT-COL E M BRITTO:

Can the Honourable Minister expand a bit on that? He has said he has spent on the training courses. Does that include the administration of the Training Centre or is it spent purely

HON J L MOSS:

Yes, Mr Speaker, it does.

HON LT-COL E M BRITTO:

Can the Minister gives us any indication of what the proportion is actual training or is that a question which he cannot answer?

HON J L MOSS:

Not at the top of my head but I am quite willing to provide the Honourable Member with a list of the different courses that have been run by the Training and Employment Board since its inception.

HON LT-COL E M BRITTO:

Rather than a list of independent courses, Mr Speaker, what I would really appreciate is the breakdown of the expenditure in the last year. For example, of how much is the total of the actual courses. How much is the administration of the Centre and how much is miscellaneous or any other heading that the Minister can identify.

HON J L MOSS:

Mr Speaker, without committing myself to substantiating the 37p, I think I can make as much information as I do have available to me on the training courses and their approximate expenditure and the other areas in which the Employment and Training Board has spent part of that money for the Member to peruse at his leisure.

MR SPEAKER:

Next question.

THE HON P R CARUANA

What has been the total revenue from all sources of the Gibraltar Development Corporation in the twelve month period ending 31st March, 1992, and how much revenue did it collect in respect of monies paid to it under each of the following Regulations:-

- (1) The Register of Business, Trades and Professions Regulations 1991
- (2) The Employment (Workers Contractual Terms) (Information) Regulations 1991
- (3) The Gibraltar Development Corporation (Employers Insolvency) Regulations 1991?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE AND YOUTH AFFAIRS

Mr Speaker, I am giving the information as regards the fees collected under the different Regulations but would like to point out to the House it is not revenue as such.

The revenue to which the Hon Member refers does not constitute income for the Corporation. Items 2 and 3 are credited to the Insolvency Fund and the total collected as at 31.3.92 was £178,959.50.

The sum of £40,330 was collected under the Register of Business, Trades and Professions and this went towards administrative costs.

30.4.92

NO. 21 OF 1992

ORAL

THE HON P R CARUANA

Will the Government confirm that there are no individuals or companies working in Gibraltar who have been exempted from liability to make their full contributions under the Gibraltar Development Corporation (Employers Insolvency) Regulations 1991?

ANSWER

THE HON THE MINISTER FOR EDUCATION, CULTURE AND
YOUTH AFFAIRS

Yes, Sir.

NO. 22 OF 1992

ORAL

THE HON F VASQUEZ

Has Government made any decision as to the future use of the facilities previously used by Gun Wharf and, if not, what is Government's preferred or intended use for that facility?

ANSWERTHE HON THE MINISTER FOR EDUCATION, CULTURE AND YOUTH AFFAIRS

Mr Speaker, parts of the Gun Wharf area is presently being used both by companies in which Government has a shareholding or which were operating from the site. There are no further plans at the moment.

SUPPLEMENTARY TO QUESTION NO. 22 OF 1992

HON F VASQUEZ:

Mr Speaker, will the Minister be so kind to identify what those companies are and what use has been made of the Gun Wharf facilities?

HON J L MOSS:

Mr Speaker, would you remind the Honourable Member that I am not answerable in this House for the business of Gun Wharf. I have chosen to answer his original question but I really do not see the point in detailing all the companies that do work from there.

HON F VASQUEZ:

Mr Speaker, I am glad to hear that the Minister feels that he can wash Government's hands of what is, after all, a valuable asset in the infrastructural set-up of this community.

HON J L MOSS:

What is the question, Mr Speaker? I have heard a little speech.

HON F VASQUEZ:

I have not finished yet, Mr Speaker. What we want to know is, Mr Speaker, what plans Government has for the use of this important infrastructural asset. We have heard time and again the importance that Government attaches to the infrastructural development of this community. Well there we have an important infrastructural asset. Gibraltar as you are aware, Mr Speaker, as the Minister will be aware have had a history of involvement in yacht and ship-repair

and what this side of the House wants to know, Mr Speaker, is what plans, if any, Government has for the use of this important infrastructural asset and if they intend to maintain the existence of a ship-repair or a yacht repair business in Gibraltar on that site?

HON J L MOSS:

Mr Speaker, I refer the Honourable Member to the last sentence in my original answer which said, "there are no further plans at the moment". Now that is not ruling out that people might come up with suggestions or possibilities for use of the Gun Wharf area or part of the Gun Wharf area. I am well aware that there is a tradition of working in yacht repairing in Gibraltar and that there are many companies involved in yacht repair in Gibraltar, or have been. I am not saying we are not open to proposals but he has asked me a question and I have given him the answer which I think answers his question.

HON P R CARUANA:

Mr Speaker, will or can the Minister on behalf of the Government, say whether the Government would at least prefer that that facility which is clearly tailor made for boating activities and boating repairs ought to be used for that purpose because if that facility is not, that industry may be lost to Gibraltar's economy as a whole. Really what I would ask by way of supplementary to this question is, will the Government at least say that it will use its best endeavours to ensure that that facility is used for boating and boating repair purposes.

HON J L MOSS:

No, Mr Speaker. There is a very simple answer to that. The answer is that we did not choose to close down Gun Wharf, the decision was forced upon us by virtue of the fact that most of the workforce chose to take voluntary redundancy. I think, that the commitment which the Government has to give in this House and to the people of Gibraltar is for the best possible utilisation of land. Now whether that means that the best use of land for Gun Wharf is yacht repair or is not is another matter, but what we are answerable for is to try and get the best use of land on the whole of Gibraltar not just on the Gun Wharf area for the benefit of the people of Gibraltar and I do not see how making that particular commitment that the Leader of the Opposition is asking of me will help in that particular area.

HON LT-COL E M BRITTO:

Mr Speaker, on the presumption that the Government is not just sitting and waiting for someone to come with proposals as was insinuated by one of the previous answers, can the Minister say whether, in fact, initiatives have been suggested, whether the Government is considering proposals for use as a yacht repair or any other means of business and, if so, what the proposals are.

HON J L MOSS:

Mr Speaker, I can confirm that there have been a number of different proposals for the Gun Wharf even whilst Gun Wharf Yacht Repair Centre was operating. It would be ridiculous to expect me to say in this House if there were any active proposals what the details of them were because obviously that would be "Commercial in Confidence" and entirely up to the company and the people who are putting in the proposals.

HON LT-COL E M BRITTO:

No, Mr Speaker, I am not asking for details. Let me rephrase the question. We are saying in one breath we do not want to do yacht repair because there might be another type of business. Let me ask the question again so that we do not go back to what we said. I am saying, Mr Speaker, have proposals been made for use of Gun Wharf and if they are, what in general terms are those proposals? In other words, is there some other form of light industry being proposed. Is it watch repair or building frames being proposed? Not how much it is going to cost to run the business.

HON J L MOSS:

Mr Speaker, I can confirm that it is not Euro Disney. I think I already answered the question and he is putting words into my mouth by saying that I stated that I did not want yacht repair to carry on at Gun Wharf. We have to be serious. You have to be clear about what you are asking if you want clear answer. The answer is that there have been proposals for Gun Wharf way back even before my time as Chairman of the Company, some of the more recent ones are still under consideration. I do not think that it would be wise to reveal the nature of those proposals because up to now none of them have come to anything and if there is something which does seem that is going to come to fruition then the people of Gibraltar will know about it.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Will Government help to improve the quality of life and welfare of the residents of Mount Alvernia by improving the financial situation of the John Mackintosh Homes by wholly or partially subsidising their liabilities in respect of water and/or electricity?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, the position is as has already been expressed during the course of the motion in this House on 23rd October, 1990.

The Government is continuing to provide the financial assistance required to Mount Alvernia. It is not a question of subsidising their liabilities in respect of water and electricity but of providing a general subsidy. The increased subsidy for this financial year will be reflected in the Estimates.

The Government is working in close consultation with the Management Committee and we are satisfied that the Home will continue to function normally.

SUPPLEMENTARY TO QUESTION NO. 23 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, I am aware, obviously, of the general subsidy and I am also aware, as indeed the Hon Minister will be, of the reticence of Government to increase, or financial reasons to increase, the subsidy to a level that makes it unnecessary for the Board of Management to have to draw on the capital left by John Mackintosh in order to meet the recurrent expenditure of the Home. It would seem to me, Mr Speaker, and would the Minister agree with my point, that this would be a way of effectively increasing the money available to Mount Alvernia but not at the total cost to Government because, in fact, in real terms it will only cost Government the cost of the fuel rather than the total cost of the electricity, for example? But indeed in the cost of water would the Government consider approaching Lyonnaise and possibly coming to some arrangement whereby Lyonnaise could bear some of the costs of the subsidy?

HON CHIEF MINISTER:

Mr Speaker, the Hon Member's assumptions are incorrect. The Government, as the Minister has said, in close consultation with the Management Committee of Mount Alvernia, has put in place the necessary support to enable the financial stability to be maintained and the subsidy is being increased by 15% per annum and that will be sufficient. The projections that have been made shows that this will be sufficient.

HON LT-COL E M BRITTO:

Mr Speaker, with great respect to the Hon Chief Minister, I disagree. I have information from meetings that I have held with the Board of Management that the current subsidy is not sufficient to run the Home without having to draw from the capital left by the late John Mackintosh. That is happening today and it is something that I am assured by the Board of Management, so therefore the subsidy cannot be sufficient.

HON CHIEF MINISTER:

Well then, Mr Speaker, the Hon Member has to decide whether the information I provide him with in this House is correct or the one he gets privately from the Board of Management is correct. That is his problem. He is asking for information and I am giving it to him.

MR SPEAKER:

Next question.

NO. 24 OF 1992

ORAL

THE HON H CORBY

Is Government aware that there are committed volunteers who are prepared to undertake Drug Rehabilitation and counselling under medical supervision in Gibraltar and, if so, is Government prepared to provide adequate premises for such purpose?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, the Government is looking at the issue of drug rehabilitation and counselling under medical supervision in Gibraltar in close consultation with the organisers who are running Camp Emmanuel and it is in this context that the question of premises is being considered.

SUPPLEMENTARY TO QUESTION NO. 24 OF 1992

HON H CORBY:

Mr Speaker, can I make a statement before I am shot down by the Hon Members opposite as not being a question?

MR SPEAKER:

Well, as long as you keep it short.

HON H CORBY:

It is very short, Mr Speaker. I must state here that when I joined the GSD I resigned as Chairman of the Drug Rehabilitation United Group and I am here on the assumption that I am speaking for the people of Gibraltar and not flag waving on my own account. Having said that, Mr Speaker, let me say that drug taking and drug offences have escalated in Gibraltar and the Minister must agree with me, and I have the statistics here from the Gibraltar Government for 1990 which states that drug offences in 1981 were 126 and I have the figure for 1991 which is 529. This makes an increase within ten years of drug offences to 419.84%. This is what it has risen to, Mr Speaker. Having said that, this is only the tip of the iceberg because there are a lot of people who have been caught by the Police. Imagine what is under the peak of that iceberg. So in essence, the people of Gibraltar need this Centre to be a facility here in Gibraltar for drug rehabilitation. I urge the Minister in question to give it utmost priority. What is only needed, Mr Speaker, is an MOD property subsidised with medical services attached to it and I

do not think that that would be a great cost to the Gibraltar Government as such. The question is, Mr Speaker, will the Government do this as urgently as possible and, if possible, I would be very glad to consult the Hon Minister, Mr Mor, on this venture?

HON R MOR:

Mr Speaker, as I have already explained in my answer to the question, which was dealing primarily with the premises which is what concerns the Hon Member, we are discussing this with the people who are running Camp Emmanuel and in this context we will be looking at what the Hon Member is saying.

HON H CORBY:

Mr Speaker, I have for the perusal of Hon Members opposite a video which won an award in Gibraltar for the best documentary of the year. I have it available. That will give them an insight of what was being done in Gibraltar if they are willing to look at it.

HON R MOR:

We are very grateful, Mr Speaker, for the offer from the Hon Member.

HON L H FRANCIS:

Mr Speaker, will the Minister say or can he say at this stage whether the facility will be provided in Gibraltar or at Camp Emmanuel?

HON R MOR:

Within Gibraltar, Mr Speaker.

HON H CORBY:

Mr Speaker, the answer has not come back inasfar as I could be involved with the Minister as far as this venture is concerned.

HON R MOR:

Well, Mr Speaker, if we find that there is a need for the Hon Member to be consulted, we will do that.

MR SPEAKER:

Next question.

NO. 25 OF 1992

ORAL

THE HON H CORBY

Does the Department of Labour and Social Security operate a system of inspection for potential fraudulent claims and, if so, how many such cases have been identified in 1991?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, Social Security benefits are paid in accordance with the contribution conditions the claimant has to certify he complies with. Before the benefits are paid, the records are checked to see that the claim is not fraudulent. There are two cases of suspected fraud in 1991 and these were dealt with by the Police.

SUPPLEMENTARY TO QUESTION NO. 25 OF 1992

HON H CORBY:

Mr Speaker, what is the procedure for the follow-up of cases, once they have been established, after, let us say, years in order to ascertain that the circumstances have not changed?

HON R MOR:

Mr Speaker, the procedures are inbuilt in the system which we have whereby claims that are made are checked. Whenever payments are effected evidence has to be produced and then claims are paid. What the question seems to indicate is whether we have some sort of an army of inspectors behind us checking every single person that is being paid. Well that is not the case. The position is that the procedures in-built in the system ensure that fraudulent claims are minimised.

HON P R CARUANA:

Mr Speaker, is it not the position that once the claim has been made and accepted, it continues to be paid until such time as the recipient ceases to go and collect the money? In other words, certainly we are not advocating that there should be an army of inspectors, but will the Minister say whether there are any inspectors?

HON R MOR:

Well, Mr Speaker, I only said a moment ago that whenever claims are paid sufficient evidence has to be produced that the situation is still the same as when the claim was originally lodged.

HON F VASQUEZ:

Mr Speaker, what does that mean in real terms? The Honourable Minister has said that it has to be proved that the situation

is the same. If as we are lead to understand, individual recipients do not themselves go and collect, their cheques but send agents, as it were, to collect their payments, can the Honourable Minister please explain what proof is required from these individuals to say that the other individual is still alive or is still unemployed or whatever?

HON R MOR:

Mr Speaker, an agent collecting on behalf of a claimant has to produce evidence to the satisfaction of the Department that the person is alive. So a life certificate has to be produced. If what the Honourable Member is suggesting that someone who signs a life certificate is acting in a fraudulent manner then please tell us. If you have evidence that there is something going on please let us know.

HON P R CARUANA:

Mr Speaker, the fact of the matter remains that in every country presumably where benefits are paid there is some requirement for the claimant to so satisfy initially, or at the time of payment. But all these countries (and I speak of the United Kingdom as the only country of which I have any knowledge at all) have some system of adhoc inspections. If the Honourable Minister's position is that in Gibraltar because of the local knowledge of the person behind the till, there is no need for an inspection system, then please let him say so. But will the Minister confirm that there is in fact no system of inspection in terms of inspectors whose job it is to investigate the background?

HON R MOR:

Mr Speaker, all the evidence that we have is that the system seems to work and there is no reason why we should be looking at changing it.

HON H CORBY:

Mr Speaker, will the Minister please state how many inspectors are involved in cases of fraud? Are there any inspectors?

HON R MOR:

No, Mr Speaker, in those cases inspectors are not involved. What I am saying is that checks are in-built in the system to try and minimise any cases where suspicion of fraud is there.

MR SPEAKER:

Next question.

NO. 26 OF 1992

THE HON LT-COL E M BRITTO

As at the 31st March, 1992, what was the level of unemployment in Gibraltar of -

- (a) Gibraltarians
- (b) non-Gibraltarians

subdivided into under and over 25 years old age groups?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, the information requested is as follows:-

	<u>Under 25</u>	<u>Over 25</u>
(a) Gibraltarians	192	298
(b) non-Gibraltarians	8	303

SUPPLEMENTARY TO QUESTION NO. 26 OF 1992

HON LT-COL E M BRITTO:

I thank the Hon Minister for the information, Mr Speaker, and we welcome on this side of the House the indication that the figures are lower than they were when they were last requested in the previous question.

HON R MOR:

Slightly lower, Mr Speaker.

MR SPEAKER:

Next question.

NO. 27 OF 1992

ORAL

THE HON H CORBY

Does Government consider that given the current and expected higher levels of unemployment it will be necessary to put in place a system of benefits beyond the maximum thirteen weeks benefit period allowed by the present system of unemployment benefits?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

No, Mr Speaker, the policy of the Government is to reduce unemployment to the levels which existed in June 1991, and that this target is expected to be achieved by the end of this year. For this reason, the Government is placing great emphasis on training and re-training as the way forward.

SUPPLEMENTARY TO QUESTION NO. 27 OF 1992

HON H CORBY:

Mr Speaker, the indications are that unemployment is rising quickly and whereas before, and this the Minister must agree with me, it was accessible for a person who had unemployment benefits in the thirteen weeks was able to get another job within the interim period of the thirteen weeks, it is now getting more and more difficult to employ oneself within thirteen weeks. Why is the unemployment benefit for thirteen weeks and not like that of the UK?

HON R MOR:

Mr Speaker, whether UK decides to give unemployment benefit for five years, ten years or for whatever, is really a matter for the UK Government. As far as we are concerned, we have unemployment benefit payable for up to thirteen weeks and after the thirteen weeks then it is a matter of meanstesting the person. I would need to correct the Honourable Member's assumption when he started with the supplementary on the fact that unemployment is not increasing. I have just read out figures and they are slightly better than what they were in September last year.

HON P R CARUANA:

Yes, Mr Speaker, the incidence of unemployment in Gibraltar over a period of one year has increased. It may be down now very marginally over a short period of time. There is a serious possibility, let us all hope, as we all do, will not materialise, that the unemployment figures, contrary to the aspirations of the policies of the Government, will in fact, increase further. If that were to happen, does the Honourable Minister agree that the Government would have to review its present attitude towards unemployment

because Governments have an obligation to provide unemployment benefits to persons in a civilised community who are without means of support by employment through no fault of their own and that thirteen weeks is a perfectly arbitrary figure? In the case of somebody who does not get a job because he does not want one but because there is no work available and presumably the thirteen weeks was designed originally when Gibraltar had no substantial unemployment problem as the period of time that it was reasonably thought it would take somebody able and willing to find a job, to find a job. If those grounds would change because jobs are not available in thirteen weeks or any longer period, this community will have to support those people who are without employment through no fault of their own. Does the Government accept that as a correct statement of principle?

HON CHIEF MINISTER:

No, Mr Speaker, because in fact, as the Member opposite has already been told by my colleague and as we made clear in the election campaign, we are committed to a policy of full employment. Therefore I do not accept that any of the things that the Honourable Member says are going to happen, are going to happen and therefore we are not aiming our policy for failure, we are aiming our policy for success.

HON P R CARUANA:

At worst that renders my question hypothetical and if he wants to object to it on that basis he should do so. What I asked was for a comment to whether the Government considered that the statement of principle implicit in my question was correct ie if contrary to the policy aspirations of the Learned the Honourable Chief Minister has just described, there should be a problem of persistent unemployment, then would Government concede that it would have to review the whole concept of unemployment benefits in Gibraltar?

HON CHIEF MINISTER:

Mr Speaker, the policy is that the emphasis is on training people so that they can take up employment rather than on supporting them so that they can remain unemployed. Therefore, the alternative that the Honourable Member is talking about would only happen if in fact it was impossible to have any jobs at all in Gibraltar for more than 9,000 people which is what the Employment Surveys shows the Gibraltarians are. But we have clearly stated our policy of maintaining 14,000 jobs and therefore there is no prospect of what he is saying happening.

MR SPEAKER:

Next question.

30.4.92

NO. 28 OF 1992

ORAL

THE HON H CORBY

What financial support is provided from public funds to a person who is unemployed for a period longer than thirteen weeks?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Answered together with Question Nos. 29 and 32 of 1992.

30.4.92

NO. 29 OF 1992

ORAL

THE HON H CORBY

Will Government explain the system of non-contributory or supplementary benefits, and give details of current levels of payment and to what categories of persons they are available?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Answered together with Question Nos. 28 and 32 of 1992.

THE HON LT-COL E M BRITTO

Will Government consider changing the qualifying criteria for receipt of Family Support Benefits (formerly Family Allowance payments) which disqualifies a family if one parent's income is even marginally in excess of £20,000 per annum but does not do so if the combined incomes of both parents is well in excess of this figure?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, the position is as stated previously in this House.

The Government considers that if both parents' incomes, instead of the higher one, was taken into account it would act as a disincentive to married women continuing in employment.

SUPPLEMENTARY TO QUESTION NO. 30 OF 1992

HON LT-COL E M BRITTO:

Will the Minister like to explain, Mr Speaker, the logic of that?

HON R MOR:

Mr Speaker, it is self-evident, I will repeat it if he wants it.

HON LT-COL E M BRITTO:

I do not want it repeated, I want it explained.

HON P R CARUANA:

Well, does the Hon Minister admit that it operates an injustice to people in that category? The point of the question is what the combined purchasing power of the household is, not what the higher of the two earns.

HON CHIEF MINISTER:

The answer is no.

HON LT-COL E M BRITTO:

I take it, Mr Speaker, that the answer is that they are not prepared, under any circumstances, to reconsider.

HON R MOR:

That is the answer.

MR SPEAKER:

Next question.

30.4.92

NO. 31 OF 1992

ORAL

THE HON H CORBY

Does Government agree that the need to care for children is often an impediment to a single parent obtaining a job and, if so, will Government consider subsidising the nursery fees for single parent children?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, the Government does consider that taking care of children is important and will look into the matter the Hon Member has raised.

NO. 32 OF 1992

ORAL

THE HON H CORBY

What financial benefits are available to single parents from Government or from other public funds or from funds which receive monies directly or indirectly from Government or other public funds?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, there is no statutory financial support from public funds for persons unemployed for a period of more than thirteen weeks. Non-statutory social assistance is provided to persons who have no income and this is based on a means test. The same criteria applies in the case of single parents.

SUPPLEMENTARY TO QUESTION NOS. 28, 29 AND 32 OF 1992

HON H CORBY:

Mr Speaker, will the Minister not agree that whereas individual cases are probably the subject of secrecy, the overall general policy must be known openly and be debated in the House?

HON R MOR:

No, Mr Speaker, that is not the case.

HON P R CARUANA:

Mr Speaker, on what basis does the Government justify that in this community people should not know as a matter of rules available for all to examine whether they are, or who is and on what terms, entitled to social assistance? We have had arguments over the last four years about why there is a need to be a degree of reticence on, for example, pensions. But why is this extended to areas of social security to which the same considerations of interests of state cannot be extended?

HON CHIEF MINISTER:

Mr Speaker, the Hon Member was not here, in fact, throughout the last four years to which he refers and he may not have been here at the time when it was made clear to the House that the same considerations in protecting Gibraltar's position against possible extensions of Community Law apply to the whole range of non-statutory benefits.

HON P R CARUANA:

So is the Hon the Chief Minister's position that we may not know what the regime is in relation to any aspect of social assistance in case Community Law should be extended in the future in relation to that?

HON CHIEF MINISTER:

Mr Speaker, if the Hon Member loses his place in the House and becomes so impoverished as a lawyer that he requires social assistance he will be able to find out what he is entitled to.

HON P R CARUANA:

Yes, exactly, so the Hon the Chief Minister in his own imitable manner confirms the point of the question. That the purpose of keeping the community in the dark as to who is entitled to what, why and when, is kept secret in case some future European Community Law change should render that unhelpful to the interest of Gibraltar. Well, that principle, with the greatest of respect to the Hon Members opposite, could be extended to every aspect of Government revenue raising and payments and expenditure.

HON CHIEF MINISTER:

I am grateful for his suggestion. We will look as to what other areas we can extend it to.

MR SPEAKER:

Next question.

NO. 33 OF 1992

ORAL

THE HON H CORBY

What provisions exist for the giving of financial assistance to Old Age Pensioners in relation to the cost to them of water, electricity and rates?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, it would not make sense to make provision for financial assistance for water, electricity and rates which would be totally unmanageable given the different circumstances of pensioners.

Community Care has been providing assistance with household costs since 1988. This is a matter for which I do not have Ministerial responsibility since the organisation is not a Government body. If the Member wishes to have information on these payments I will approach the organisation and seek to obtain the details for him on a confidential basis.

SUPPLEMENTARY TO QUESTION NO. 33 OF 1992

HON H CORBY:

Mr Speaker, would the Minister agree with me that a minimum subsidised consumption might be the answer to pensioners who live alone and are in need of financial assistance?

HON R MOR:

No, Mr Speaker, the Government is not prepared to restrict everything on water and electricity and rates.

HON P R CARUANA:

Mr Speaker, are we therefore to understand that this body called Community Care dispenses assistance, for example, for water and electricity and other things, to such persons as it considers are suitable recipients on the basis of unpublished criteria on a perfectly arbitrary basis?

HON R MOR:

No, Mr Speaker.

HON P R CARUANA:

The Hon Minister has said that assistance is provided with household expenses to people by Community Care on perfectly arbitrary rules which are unpublished and which the Minister will not describe in this House.

HON CHIEF MINISTER:

No, Mr Speaker, as my colleague has mentioned, perfectly arbitrary rules are on the Member opposite. The Minister has said that there is assistance provided and if the Hon Member opposite wants to have the information on a confidential basis he can have it and then he can see whether they are arbitrary or not.

HON P R CARUANA:

The Hon Member does not want the information on a private basis. What the Hon Member wants, but now knows he will not get, is a system as exists everywhere else whereby people know what they are entitled to and what they are not entitled to and in what circumstances they can get it and why somebody does not get it and somebody else does or why he gets it and somebody else does not.

HON CHIEF MINISTER:

Mr Speaker, the Hon Member has already been given an answer by me on that question.

MR SPEAKER:

Next question.

30.4.92

NO. 34 OF 1992

ORAL

THE HON H CORBY

Will Government legislate to provide minimum adequate maternity leave rights for working women?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, at the moment there is a Directive under discussion in the EC and Government will introduce the necessary legislation to comply when the terms have been agreed.

NO. 35 OF 1992

ORAL

THE HON H CORBY

Will Government consider allowing the payment of Family Support Benefits at the Main Street Post Office?

ANSWER

THE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

No, Mr Speaker, because there are already other Government Offices in the vicinity where Family Support Benefit can be encashed.

SUPPLEMENTARY TO QUESTION NO. 35 OF 1992

HON H CORBY:

Mr Speaker, will the Minister state where these offices are located?

HON R MOR:

Well, I can tell the Honourable Member. The Haven, for example, and Treasury Building or the different Post Offices. There is no shortage of places where the Family Support Benefit can be encashed.

HON LT-COL E M BRITTO:

Mr Speaker, is the Minister aware that since Lyonnaise took over the collection of bills, the Haven Offices, the Collection Offices to which he has referred.....

HON R MOR:

No. No. I have not. The Haven - where the Labour Department is. You are not referring to the Haven.

HON LT-COL E M BRITTO:

I am referring to the Collection Offices. My understanding is that people when they have been directed to the Collection Offices to cash their vouchers that your Department....Will the Minister confirm that the recipients are issued a voucher, which is not a cheque, in the normal accepted sense of the word, and that they then have to go to a Government cash office to exchange that for cash?

HON R MOR:

That is right. There are different ways in which recipients are paid. The allowances are transferred directly to their bank accounts, if they so wish. Others collect it in either the North District Post Office or the South District Post Office. They can cash the voucher at the Treasury or at the DLSS.

HON LT-COL E M BRITTO:

Mr Speaker, will the Minister accept that there has been representations made to us by housewives who live in the town area and these representations are of the nature that since Lyonnaise took over the collection of bills, the Collection Offices in Mackintosh Square, where these housewives had been cashing their vouchers, do not always have as much cash available as they had previously? They are having to go back again for two or three times in order to be able to cash those vouchers or alternatively they have been put to the inconvenience of having to go to the South District or the North District. Will he accept that those are genuine representations that have been made and therefore either provide more cash in those offices or alternatively allow the central Post Office to make payments to alleviate the inconvenience of the housewives in town?

HON J C PEREZ:

Mr Speaker, perhaps the Honourable Member has not understood. The points where the household allowances are encashed are in the Haven in the Labour Department and in the Treasury Building in Secretary's Lane. The fact that the Electricity and Water Sections are no longer there, does not mean that there is a cash point at the Collection Office for rates. There is a cash point for rates but it has never been paid from that point. So, in fact, the Collection Office, which he claims is closed, is not closed. It is still opened for the collection of rates but it has never been one to encash the payment that the Honourable Member has referred to. In any case, we have no space available in the General Post Office to be able to do this. The General Post Office windows are all taken up with the normal functions of the Post Office and that is why there is a reluctance to allow it to be paid in the Post Office itself, not for any other reason. Now that it is quite obvious where the payments can be encashed, I am sure that people will get to those places since they are only a few metres away one from the other, frankly.

HON LT-COL E M BRITTO:

Mr Speaker, I hope the Minister will accept is that I will reassure the people who make the representations as to the additional points. But at the same time will he also accept that the Collection Offices in John Mackintosh Square do exchange those vouchers and have been doing so and it is not a question

HON J C PEREZ:

He is wrong, but if the Honourable Member pretends to know more; fine. The information I have got is 'no'. But in any case, the Collection Office is still opened.

HON LT-COL E M BRITTO:

Mr Speaker, the Honourable Member does not pretend to know more. The Honourable Member is telling him that he has been told by people who go there and cash them, so therefore they have been cashed and I am not saying they have been closed, I am saying that obviously they have less cash than the usual. Be that as it may, I accept the explanation as there is no point in labouring the point and I will inform the people concerned that there are additional points. But at the same time, Mr Speaker, will the Honourable Member also accept that his point just now that the counters at the General Post Office are totally used up is not one that is borne out by experience. There are at least two counters opened that are permanently closed and at least two other ones, one the postage stamp and the other one that issue social insurance stamps which are very under used especially social insurance stamps which if you require more than £100 have to be pre-ordered on a 24 hour basis and issued from an office upstairs.

HON J C PEREZ:

I am glad that the Honourable Member has been converted to his new thought on the Post Office now, because when he used to belong to another Party that Party thought the opposite and we are pressuring on the opening of more windows in the Post Office because there was more increase in business. So I am glad that the Honourable in changing Party also changes views.

MR SPEAKER:

Next question.

THE HON P CUMMING

Has there been any progress in obtaining UK and EEC recognition of local nursing registration?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Yes, Mr Speaker, a process leading to UKCC registration and consequently EEC recognition has already started for locally registered nurses, and in fact the initial three months local adaptation course concludes on the 1st May, 1992. It is programmed to have all non-UKCC registered nurses adapted within a two year period. A further two adaptation programmes are already planned for this year.

These programmes have been planned in conjunction with the Sheffield and North Trent College of Nursing and a visit of external assessors from the College has been arranged for week commencing 3rd May, 1992, to coincide with the conclusion of the first adaptation and the commencement of the second course. A third course is scheduled to commence in September.

The student nurse intakes currently in training are on a modular scheme which meet with all UKCC and EEC requirements. Registration would then become automatic.

SUPPLEMENTARY TO QUESTION NO. 36 OF 1992

HON P CUMMING:

Mr Speaker, the need for an adaptation course surely does not represent progress when prior to 1988 there was no need for adaptation courses. People were being registered on individual basis with UKCC without need for an adaptation course. Surely that implies deterioration rather than progress?

HON MISS M I MONTEGRIFFO:

No, Mr Speaker, I am given to understand that the adaptation courses at the time had to be taken in the UK.

HON P CUMMING:

Mr Speaker, if we go back far enough, in my own case I registered locally and registered with the United Kingdom Nurse Registration Council automatically. The fact now that we need an adaptation course surely implies lack of progress, not progress.

HON MISS M I MONTEGRIFFO:

Well, Mr Speaker, that is not the information that I have been given. The fact that the UKCC told us that we need to be able to have the adaptation courses adapted in Gibraltar and we took steps to remedy the situation, I think, that is progress enough.

HON P CUMMING:

Mr Speaker, if as the Hon Minister says registration will become automatic in a short period, will it then automatically follow that the EEC will give recognition because in the past there have been students trained locally, registered in the UK and consequently denied EEC registration because the Central Council has claimed that we are outside the EEC.

HON MISS M I MONTEGRIFFO:

Yes, Mr Speaker, the EEC will give us recognition.

HON P CUMMING:

Thank you.

MR SPEAKER:

Next question.

NO. 37 OF 1992

ORAL

THE HON P CUMMING

Is it the Government's intention when considering applications for new contracts for Consultants to recruit persons who will not undertake private practice even if this results in attracting only Junior Registrars?

ANSWER

THE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, the question is in two parts and I will answer each section in turn.

Government is recruiting Consultants who do not undertake private practice. However, the Member is incorrect in saying that this results in attracting junior registrars. The Health Authority has received no applications from junior registrars and therefore the question does not arise.

SUPPLEMENTARY TO QUESTION NO. 37 OF 1992

HON P CUMMING:

Mr Speaker, it has been my information that, in fact, several times in the past, and in the most recent occasions, the people who have been appointed consultants here, although qualified, did not have sufficient years of experience in both grades in UK of junior registrar and senior registrar and some have had consultancy posts in the third world, but not in the UK.

HON MISS M I MONTEGRIFFO:

Mr Speaker, the Member is incorrect. The consultants or the applicants who have applied to the Health Authority have had experience in the UK. They have been practicing in the UK and they are consultants, Mr Speaker. We have received no application, as I have said in my original answer to this question, from junior registrars.

HON P R CARUANA:

Mr Speaker, the Honourable Minister said that they are recruiting consultants who do not undertake private practice. Will the Minister confirm that that means "cannot" under the terms of their contract as opposed to simply choose not to?

HON MISS M I MONTEGRIFFO:

Cannot, Mr Speaker.

HON P R CARUANA:

Under the terms of their contract?

HON MISS M I MONTEGRIFFO:

That is right, Mr Speaker.

HON P R CARUANA:

Mr Speaker, will the Honourable Minister say in relation to the points that my colleague, Mr Cumming, was just making, that the Gibraltar Health Authority has not recruited to the post of consultant in Gibraltar any applicant that would not and has not served in the post of senior registrar in the United Kingdom or to a standard equivalent in some acceptable jurisdiction. We understand there are other acceptable

HON MISS M I MONTEGRIFFO:

Mr Speaker, I have said more than that. I have said that they have been recruited when they have been Consultants already, Mr Speaker. I have said more than that.

MR SPEAKER:

Next question.

THE HON P CUMMING

Where will the new Health Centre be sited, and when is it expected to be operational?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, as I have already publicly stated it will be sited in the north area of Gibraltar. However, Government is considering a number of sites and until a decision is taken, I am not in a position to make a statement.

SUPPLEMENTARY TO QUESTION NO. 38 OF 1992

HON P CUMMING:

Mr Speaker, does the Hon Minister agree with me that the present overcrowding of the Health Centre makes working conditions there very unpleasant for patients, for staff and, in fact, are bordering on the unhygienic?

HON MISS M I MONTEGRIFFO:

Mr Speaker, the Government is already considering interim measures.

HON P R CARUANA:

Mr Speaker, the Hon Minister refers to the north area. Is she in a position to say whether the Government is considering a site adjacent to St Martin's School?

HON MISS M I MONTEGRIFFO:

Mr Speaker, I have said that the Government is considering a number of sites and until a decision is taken I am not prepared to give a statement on the matter.

HON P R CARUANA:

Is the Minister refusing to say whether it is considering a site adjacent to St Martin's School?

HON MISS M I MONTEGRIFFO:

That might be one of the sites, Mr Speaker.

HON P R CARUANA:

I will not labour the point, Mr Speaker, but I think it is extraordinary that there should be clarity on this point. Is the Hon Member or not considering a site adjacent to St Martin's School? Yes or no?

HON MISS M I MONTEGRIFFO:

I have just answered, Mr Speaker. I have said that yes, that that could be one of the sites.

HON L H FRANCIS:

Mr Speaker, will the Hon Minister say whether the new Health Centre will merge with the existing one or whether there will be two separate Health Centres?

HON MISS M I MONTEGRIFFO:

No, Mr Speaker, it will be one new Health Centre.

MR SPEAKER:

Next question.

NO. 39 OF 1992

ORAL

THE HON P CUMMING

Is the Government satisfied that the premises of the blood bank at St Bernard's Hospital is in a hygienic state and is it adequately equipped to provide a safe service?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, the Government has not received any information to the contrary and has been assured by the persons responsible for the blood bank at St Bernard's Hospital that it is in a hygienic state and adequately equipped to provide a safe service. The Government is therefore satisfied with the assurances it has received.

SUPPLEMENTARY TO QUESTION NO. 39 OF 1992

HON P CUMMING:

Mr Speaker, the blood used for transfusions in UK is AIDS tested prior to giving and also heat treated in order to render it safe. Up to 1988 in Gibraltar, tests were only carried out on donors - AIDS testing on donors - and the blood was not treated because there was no equipment available to do this. Has this now been corrected?

HON MISS M I MONTEGRIFFO:

I am given to understand that this is the case, Mr Speaker.

HON P CUMMING:

That blood is being heat treated?

HON MISS M I MONTEGRIFFO:

That is the information I have received, Mr Speaker.

MR SPEAKER:

Next question.

THE HON P CUMMING

Will Government provide adequate waiting facilities for family of patients who may be -

- (a) in a critical condition in ITU
- (b) undergoing surgery in operating theatre
- (c) during labour in Maternity Ward

to avoid, often distraught family members to stand in hospital corridors sometimes for long periods of time?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, within the resources available to the Health Authority, priority continues to be given to the refurbishment of wards as these are considered to be more important than waiting facilities. There are only two wards left to refurbish at St Bernard's and it is intended therefore soon after to look at other areas, including the one the Hon Member has mentioned.

SUPPLEMENTARY TO QUESTION NO. 40 OF 1992

HON P CUMMING:

Mr Speaker, in the meantime, could the Minister request that a sofa be retained in the little lobby outside the Maternity Department, at the top of the slope as there used to be?

HON MISS M I MONTEGRIFFO:

I will need to ask the Management to look at the situation, Mr Speaker, at his request.

MR SPEAKER:

Next question.

THE HON P CUMMING

Is Government aware of recent press reports indicating that the Campo de Gibraltar has one of the highest incidence of cancer in Western Europe and linking this phenomena to certain heavy industries situated in the Bay of Gibraltar and does the Government consider it appropriate to initiate its own study into this?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, the Government is aware that there have been press reports suggesting this but it has not been able to obtain the source of those press reports to establish the quality of the scientific evidence. However, if the Member opposite is in possession of any further information, the matter will be looked into.

SUPPLEMENTARY TO QUESTION NO. 41 OF 1992

HON P CUMMING:

Mr Speaker, the information I have is what was published in the Chronicle. The sources that were discussed in the Campo about this, and I was reading it last night, and I can easily find what it was. The point was, Mr Speaker, to gather statistics locally to find whether the incidence of cancer locally or any kind of cancer is higher than other areas of Europe. This would be a worthwhile and cheap study that could be done locally.

HON MISS M I MONTEGRIFFO:

But, Mr Speaker, what I have said in my original answer is that we have tried to verify whether the press reports have any official backing and that has not been the case and I have offered to the Hon Member that if he does have in his possession any official backing, then we would be willing to look into the matter.

HON P CUMMING:

Mr Speaker, in any case this would refer to the Campo and it may just be that the levanter and the winds may make our situation different to them. It is because it is so easy to gather these statistics on the amount of patients annually in Gibraltar and compare them in a percentage to other countries. This would seem to me to be worthwhile doing.

HON MISS M I MONTEGRIFFO:

Mr Speaker, I am told that the levanter has nothing to do with it but I am sure that if the indications were alarming I would have been told by the professionals.

HON P R CARUANA:

Mr Speaker, will the Hon Lady Minister agree to compile or have compiled on her behalf statistics relating to mortality rates and the incidence rates of the various types of cancer in Gibraltar?

HON MISS M I MONTEGRIFFO:

Mr Speaker, as I have said before I think that if there was any indication that there was a rise in incidence of cancer in Gibraltar I would have already been contacted by the professionals in Gibraltar.

HON P R CARUANA:

With the greatest respect, Mr Speaker, she cannot know if there is any rise unless you compile the statistics and then compare them from one year to the other. I think that it is self-evident in this community that the incidence of cancer is very great. Now whether it is greater than in other towns of 28,000 people requires the compilation of statistics, so that three years from now we shall know whether it is any greater. If we do not start compiling these statistics we shall never know.

HON MISS M I MONTEGRIFFO:

Perhaps, Mr Speaker, I did not explain myself properly but the Health Authority does have statistics of the number of people who die and the cause of the death and that is therefore why I was harbouring on the argument that if those statistics were alarming I would have already been informed.

HON P R CARUANA:

Those statistics, Mr Speaker, do they exist in relation to cancer specifically, death from cancer and the various types of cancer?

HON MISS M I MONTEGRIFFO:

Yes, Mr Speaker, they refer to all types of death and that is why I was telling the Opposition that if there was any information which the professionals thought were alarming I would have already been informed or the Government would have been informed.

HON P R CARUANA:

Finally, Mr Speaker, I will not ask another supplementary because I think it would be unfair as the Minister could not possibly be prepared to answer the question. Would the Minister provide to me privately, that is to say, not privately in the sense that I cannot subsequently use it, those statistics so that we may have them in our possession?

HON MISS M I MONTEGRIFFO:

Mr Speaker, is the Hon Member referring to all the deaths in Gibraltar or just the deaths related to cancer?

HON P R CARUANA:

Well, deaths related to cancer and the various types of that fatal disease.

HON MISS M I MONTEGRIFFO:

Yes, Mr Speaker.

HON P R CARUANA:

I am obliged.

MR SPEAKER:

Next question.

THE HON L H FRANCIS

What sports facilities have MOD released to Government in the last four years and has Government had any indication that any further sports facilities will be handed over in the next four years?

ANSWERTHE HON THE MINISTER FOR MEDICAL SERVICES AND SPORT

Mr Speaker, no sports facilities have been released by the MOD to Government in the last four years. We have recently been informed by the MOD that they will be releasing the sports facilities at South Barracks area, ie a squash and rackets court and three tennis courts.

SUPPLEMENTARY TO QUESTION NO. 42 OF 1992

HON L H FRANCIS:

Mr Speaker, I was thinking in particular of Europa Point sports field, but in any case, will the Minister undertake that the facilities that are going to be handed over as she has indicated are going to be kept on as sports facilities?

HON MISS M I MONTEGRIFFO:

Yes, Mr Speaker, in the past I have already given a commitment to this House that that will be the case.

HON P R CARUANA:

Mr Speaker, when the Hon Minister says that no sports facilities have been handed over in the last four years, is she overlooking such things as the No. 2 Naval Ground or were those given four years and six months ago or four years and four months ago?

HON MISS M I MONTEGRIFFO:

No, Mr Speaker, they were handed over with an agreement that we had to reprovide them with the same facility.

HON P R CARUANA:

So it was a transfer of a sport facility from the MOD to the Government of Gibraltar?

HON MISS M I MONTEGRIFFO:

No, in exchange for us providing the same facilities for them, Mr Speaker. I have been assured by the MOD that civilians will be able to use the facilities on the same basis that Naval Ground No. 1 was being used previously.

HON P R CARUANA:

Mr Speaker, with the greatest of respect, it seems a very tenuous and irrelevant distinction to make. The question is not what was given in exchange. The question is what was received and what the Gibraltar Government received was sports facilities. Now even subject to the same tenuous distinction that the Hon Minister has made, are there any other sports facilities that fall into that category?

HON MISS M I MONTEGRIFFO:

Not to my knowledge, Mr Speaker.

HON L H FRANCIS:

Mr Speaker, is the Hon Minister aware that one of the sites in particular that she has mentioned is going to be handed over, the squash courts and badminton complex at South Barracks, is being heavily vandalised, I am given to understand? Can nothing be done to prevent damage prior to its actual handing over?

HON MISS M I MONTEGRIFFO:

I can assure the Hon Member that it was being vandalised but at the moment it is being refurbished by the MOD before they release it to the Government.

HON LT-COL E M BRITTO:

Mr Speaker, is the Government still under an obligation to reprovide Naval Ground No. 2?

HON MISS M I MONTEGRIFFO:

It has been reprovided already, Mr Speaker.

HON P R CARUANA:

Yes, Mr Speaker, I hesitate to base the question on rumour, but is there any truth in the rumour that, in fact, the Navy may have no intention of using that reprovided area as a sports facility at all?

HON M A FEETHAM:

Whatever the MOD wishes to do with their particular land as a result of agreements reached three years ago, is really a matter for the MOD to decide in the light of their own policies. I can tell the Hon Member that the MOD, and it is public knowledge, are reviewing their land position in Gibraltar in a drastic manner and they have not made any final decisions as to where they are going to finally finish up in the light of the rundown in the next three years. So whether that will be used as a football pitch by them or by us or whether it is used for something else is a matter for the MOD.

HON P R CARUANA:

I am grateful to the Hon Minister for his answer because he has touched on the point that I was trying to get to, that there is at least a possibility that we might get that back sooner than we had anticipated.

HON H CORBY:

As a sportsman myself, are the facilities that are being handed over been used by clubs in Gibraltar or will these facilities be made available to the public in general?

HON MISS M I MONTEGRIFFO:

I think that all facilities will be available to the public in general, but as regards the rackets and the squash area, we are at this moment in time negotiating with the Gibraltar Squash Racquets Club so that they in turn make it their premises, Mr Speaker.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Mr Speaker, is Government satisfied that the existing arrangements and procedures of Lyonnaise des Eaux in respect of water and electricity bill collections, receipts and its dealings with the public in general are of a sufficiently high standard expected of a public service and that these arrangements are to the satisfaction of the people of Gibraltar?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Yes Sir.

SUPPLEMENTARY TO QUESTION NO. 43 OF 1992

HON LT-COL E M BRITTO:

How, Mr Speaker, does the Honourable Member then explain the letters in the press of complaint, the opinions being openly voiced by members of the public, the queues that form on a daily basis at the offices of Lyonnaise des Eaux and the disagreeable scenes that occur there on a daily basis, the complaints we are receiving and the fact that all this is aggravated by the fact that Lyonnaise appears unable to issue bills which do not include payments that have been made to them within the previous period and that therefore the balances on these bills are wrong and that the balances, because they are wrong, aggravate all the problems that I have just mentioned?

HON J C PEREZ:

Mr Speaker, the Honourable Member perception of the situation, if I may say so, is incorrect. There have been two letters in the press on the subject. I have received several complaints on the metering, which has nothing to do with Lyonnaise and has to do with the fact that the December bills are usually higher because the period of metering is lengthier. There are no daily disagreeable queues or outcries in public as the Honourable Member has said. There have been several occasions where, as part of teething problems as a result of taking over the billing of water and electricity, there have been problems. There have been certain representations by individuals made to me. I have sent those directly to the management of Lyonnaise des Eaux who have sorted it out with the people who are complaining and who are telling me that they are now totally satisfied that the teething problems will be overcome and that a satisfactory service is being provided to the general public. I am certainly satisfied that they have taken corrective action on some of the issues that have been raised by some

people, some of which I have raised myself. There will be even changes made to the billing so that there is no muddle like there is at present as to what is the monthly payment as opposed to the arrears one which is what the Honourable Member has lastly referred to. So I accept that there are teething problems and I accept that certain problems have been put to me but I do not accept the suggestion of the Honourable Member that it is chaos which is what he has suggested. I have certainly only seen two letters in the press. I pass there every morning and I do not see the queues that the Honourable Member has seen. On occasions there were certain queues because, as a result of the postal strike, there were three and four bills which have been received together and that created the problem as well and it coincided with the take-over of Lyonnaise from the Collection. I have been satisfied by the company that certain corrective actions are to be taken on the bill itself and I have made sure that they have satisfied all the customers that have come to me with complaints. I am confident that no other problems will arise in the future.

HON LT-COL E M BRITTO:

Mr Speaker, I am sure the Honourable Member will accept the usual reticence of Gibraltarians to write letters in the press (unless of course they happen to be members of the GSLP in the lead up to an election) but the fact that he has seen only two letters in the press is not indicative of the feeling out in the street. But having said that, I hope he will accept that I understand from his explanation that he is in fact agreeing with the general spirit of what I have said. I welcome the fact that he has taken steps to approach Lyonnaise to try to correct, what he calls, teething troubles and which I hope are teething troubles and which we will nevertheless monitor to ensure that they are teething troubles. But having said all that, will he also give us an indication, Mr Speaker, whether he will tackle a particular bone of contention with the public in general on the issue of receipts that Lyonnaise appear not to be want to agree to and possibly change the system so that receipts are issued for payments by post by cheques?

HON J C PEREZ:

Let me first say that I do not agree with what the Honourable Member has said. Secondly, that it is obvious that now the perception of how many letters can go to the press, according to the Honourable Member, allows the Honourable Member to say has he seen the number of letters in the press. When I tell him that there are two, then he says that it is the perception that he has of how many people would have written if they had thought that writing a letter could have made a difference. On the question of the receipts, the answer is, no, I have not made representations to Lyonnaise about people, who pay their bill by cheque and by post receiving receipts because those who want a receipt

may receive one at the counter whether they pay by cheque or in cash. These number of people who are now paying by post and by cheque has increased as a result of the service and I do not notice that there is a deterioration in the service. On the contrary, if there are more people paying by cheque and by post, I do not think that it is barring people generally from using that service and therefore I am satisfied that, as everywhere else in the world, if one pays by cheque and the record of the payment to the company is held by the bank, in case you need it, there is no reason whatsoever why that person should get a receipt. He obviously has the possibility of getting that receipt if he goes to the counter either with a cheque or with cash. If he wants to use the service provided to pay by mail then he will have to go without the receipt. I have not made representations to Lyonnaise because I have asked for the figures and the figure is that the number of people paying by cheque and by post has increased since the service was provided.

HON LT-COL E M BRITTO:

Mr Speaker, of course it has increased precisely because of all the problems that I have graphically explained previously about long queues and so on. The point is, Mr Speaker, that the Minister agrees precisely that people who pay by post and by cheque are the ones who are not prepared to go and stand in the queue. So therefore, it is ludicrous to suggest that if they want a receipt they should go and stand in the queue to get a receipt. The Minister should advise Lyonnaise to send the receipts with the next bill and then they can save on the post.

HON J C PEREZ:

You see, Mr Speaker, there is always an advantage to it, the Honourable Member has pointed it out.

MR SPEAKER:

Next question.

30.4.92

ORAL

NO. 44 OF 1992

THE HON LT-COL E M BRITTO

Will Government make public the terms of the contract between Government and Lyonnaise des Eaux?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Answered together with Question Nos. 45 and 51 of 1992.

30.4.92

NO. 45 OF 1992

ORAL

THE HON LT-COL E M BRITTO

On what terms as to commission or remuneration does Lyonnaise des Eaux collect the electricity charges on behalf of the Government?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Answered together with Question Nos. 44 and 51 of 1992.

NO. 46 OF 1992

ORAL

THE HON L H FRANCIS

Has the Government considered the effects of fumes from the new Incinerator on the area of Windmill Hill and Lathbury Barracks?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, the 'white smoke' emanating from the incinerator is steam and not fumes. It therefore has no detrimental effect whatsoever to the area referred to by the Honourable Member or any other area.

SUPPLEMENTARY TO QUESTION NO. 46 OF 1992

HON L H FRANCIS:

I thank the Honourable Member for the information. I was just concerned about any possible fumes because the chimney top is on a level with the Windmill Hill flats area. Thank you.

HON LT-COL E M BRITTO:

Mr Speaker, is the Honourable Minister saying that the Incinerator produces no fumes at all?

HON J C PEREZ:

At the stage of emission yes, no fumes at all. It is reconverted.

MR SPEAKER:

Next question.

NO. 47 OF 1992

ORAL

THE HON L H FRANCIS

Mr Speaker, what plans have been made to keep the area around the new Incinerator clean of rubbish?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, there are no special plans to keep the area surrounding the new incinerator in a clean state. The commencement of operations of the incinerator, the ceasure of open burning in the area, the eventual total removal of the refuse at a holding site and the continuing regular cleansing of the area should bring about the desired result. Indeed the area in question has already experienced a vast improvement.

SUPPLEMENTARY TO QUESTION NO. 47 OF 1992

HON L H FRANCIS:

Indeed it has, Mr Speaker. I am concerned about rubbish blowing out when the strong winds in the area prevail. Could the Minister say whose responsibility it will be to clean up any rubbish that blows out of the compound? Will it be the private company's responsibility or Governments?

HON J C PEREZ:

Mr Speaker, there will be no compound for any private company in the area once the residue of the refuse that was being taken to Los Barrios is finished and therefore the issue will not arise in the future. It will only arise whilst that residue is there and the company is disposing of it as under the terms of the contract.

HON L H FRANCIS:

I hope the Honourable Minister will agree that it is an area of prime tourist and environmental importance and therefore it is important that it should be kept as clean as possible under the circumstances. Thank you.

HON LT-COL E M BRITTO:

Mr Speaker, is the incinerator working to full capacity?

HON J C PEREZ:

The incinerator is working full time, yes.

HON LT-COL E M BRITTO:

Sorry, Mr Speaker, not full time, to full capacity?

HON J C PEREZ:

It is taking all the refuse of Gibraltar. Whether it works to full capacity in that it works for longer hours than we in Gibraltar need it is a different issue. It will work to full capacity when it is producing water and electricity and then refuse in Gibraltar would need to be supplemented by coal. At the moment, it is not working to full capacity only because of that. But it can take all our refuse and all our wood and it meets all our requirements already.

HON LT-COL E M BRITTO:

Mr Speaker, by implication then the residue is being taken slowly because it cannot meet more demand at the moment than it needs.

HON J C PEREZ:

No, the residue is part of the contract that there was with the previous company. We used to dispose of it in Los Barrios. We have already informed that company that if it wishes to, the incinerator can take on that residue and it need not carry it to Los Barrios. But it has got contractual obligations with Los Barrios which it has to meet. So unfortunately that refuse might have to be taken to Los Barrios anyway.

MR SPEAKER:

Next question.

THE HON L H FRANCIS

What will be the cost to Government of waste disposal at the new incinerator?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, the figure the Honourable Member is seeking is included in the Estimates of Expenditure presented to the House this morning.

SUPPLEMENTARY TO QUESTION NO. 48 OF 1992

HON L H FRANCIS:

Mr Speaker, can the Honourable Minister say how it compares to the cost of the old incinerator?

HON J C PEREZ:

Mr Speaker, that is specific in the Estimates presented. I suggest that if he has supplementaries he raises them at Committee Stage of the Appropriation Bill once he will have had the chance to look at the Estimates and compare the figure himself.

HON L H FRANCIS:

Thank you. Can I ask the Honourable Minister if any agreement has been come to by the Government or the private company to take in waste from Spain to burn at the incinerator?

HON J C PEREZ:

Mr Speaker, the only agreement that the Government has entered into is the agreement for the disposal of refuse for Gibraltar. Whether the company finalises the agreement itself to dispose of refuse other than Gibraltar ie La Linea, it is up to the company and the authorities in La Linea. The Government has not intervened in that at all.

HON L H FRANCIS:

Could I just ask whether the Minister is aware that any agreement is in the air or has been agreed?

HON J C PEREZ:

I am aware that the offer has been made and that the Ayuntamiento in La Linea has taken some eight months to consider it and that they are still considering it and that they have put a proviso that everybody must be in agreement if they are going to bring it. It is in their court as

far as I know and I shall assist the management of the company in any way if they think that by my intervention it can come about but unfortunately I think it would have a detrimental turn if the press reports emanating from the Ayuntamiento of La Linea, are anything to go by.

HON P R CARUANA:

Mr Speaker, the Honourable Minister will be aware of many press reports emanating from Spain casting doubt on the technical adequacy of that incinerator. Can we take this opportunity to have it publicly confirmed that those criticisms are technically without foundation?

HON J C PEREZ:

Mr Speaker, those criticism are technically without foundation. The Environmental Groups that have bothered to come and see the incinerator and take the specifications of the incinerator away with them across the border have been satisfied that what I am saying is true and it is only political parties in La Linea who have not bothered to do this, that are claiming that the incinerator is an environmental hazard. But even those Environmental Associations from Algeciras and further afar that have come to see the incinerator have been quite impressed, have taken the specifications the company has given them and have been assured that it is not only not an environmental hazard but would be a vast improvement, were these installed in Spain, to the methods prevailing in most areas in Andalucia.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Why is the cost of a telephone call from Gibraltar to the United Kingdom higher than the cost of a comparative call from UK to Gibraltar?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, neither the European Community nor the International Telecommunications Union have standardised charges because it is widely known and recognised that the customer base, usage and investment are what eventually determine the charges one is able to offer ones own customers.

SUPPLEMENTARY TO QUESTION NO. 49 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, does the Minister recollect that at the initial stages of the Nynex operation there was speculation in the media reports that, due to the increased traffic being envisaged both from the new company and because of the expansion of the Finance Centre and because of the more modern equipment then being installed, charges would drop in the short to medium term?

HON J C PEREZ:

Mr Speaker, I do not think that the Hon Member knows what he is talking about. Nynex has nothing to do with international communications. It is Gibtel that has to do with it and therefore the rumours emanating at the time of Nynex cannot be perceived to affect the operations of Gibtel.

HON LT-COL E M BRITTO:

Mr Speaker, it must be the time of day and the heat and the fact that I am still wearing my jacket. Of course, I meant Gibtel and not Nynex. I am sorry if it has confused the Minister. Perhaps he could answer the spirit of the question.

HON J C PEREZ:

Yes. When Gibtel came into power the Party that was in power is the Party that the Hon Member belonged to, so he should know.

HON LT-COL E M BRITTO:

Mr Speaker, the Party might have been in power but I was not part of the people who were in power as the Minister will know. So I do not know the answer to the question. Does the Minister recollect the speculation and is he in a position now to bring pressure to bear so that charges can be lowered?

HON J C PEREZ:

Mr Speaker, the answer that I have given the Hon Member is that what determines the charges are not the prices charged by other administrations but your own investment, your own customer base and the usage that your customers make of that particular capital expenditure. Therefore, the prices that we charge are based on that and our customer base is very small as compared to the United Kingdom. Therefore, we have more capacity than what we really need and we have to pay for it if we want more telecommunications. The situation has been the same for the last ten years where charges in Gibraltar have not moved either up or down. Charges in UK have fluctuated during that period but has not affected the charges that we have put. In fact, in the United Kingdom there is VAT on charges which we do not impose. If you add together the VAT and the charges in the UK it is not as far away as seems to be the case in normal circumstances other than the cheap rate, of course.

HON LT-COL E M BRITTO:

Mr Speaker, it is not quite correct to say that the charges have not changed. If we go back far enough telephones were free.....

HON J C PEREZ:

What is the question the Hon Member is making?

HON LT-COL E M BRITTO:

The question is whether the Government is in a position under the terms of the contract to bring any pressure to bear on Gibtel to lower if possible the charges.

HON J C PEREZ:

International calls have never been free. The question the Hon Member made is why the disparity between UK and Gibraltar. I have told him why the disparity and now he says can Gibtel decrease. Well, that is a business decision that the Board of Gibtel will have to take given the circumstances prevailing at the time. I cannot guarantee that the Hon Member will get the desired results because it is a business judgement taken by a company as on any other issue.

HON P R CARUANA:

Yes, Mr Speaker, the fact of the matter remains that in other countries, for example, in the United Kingdom there are regulatory authorities to ensure that those that have to take business judgements are not looking only at their own bottom line. What regulatory regime exists in Gibraltar? Perhaps a power reserve to the Government, if it has indeed a contract with Gibtel to ensure that the cost of telephone calls are not decided only by the Board of Gibtel.

HON J C PEREZ:

Mr Speaker, there is no decision being taken. The same charges have existed throughout a ten year period when Cable and Wireless was there, when the Telephone Department was there, when the AACR was in power, when the GSLP came into power, so the situation has not changed whatsoever. The question he has asked is why the disparity between the UK and Gibraltar. I have informed the Hon Member that the disparity arises because decisions on charges are not related to the cost to the operator in Gibraltar of providing the service to the customer. He has then said that there are regulatory controls in the United Kingdom and I am saying that not on pricing. They removed them at the time that they liberalised telecommunications and allowed Mercury to give a service. Therefore, the competition that there is in UK today is the one that is pushing prices one way or the other, not the regulations of the regulatory authority in the United Kingdom. If what the Hon Member is saying is whether the Government could ask Gibtel to lower prices then he should have asked exactly that question and I would have answered on that basis. On what premise is the Opposition asking Gibtel to lower prices?

MR SPEAKER:

Next question.

NO. 50 OF 1992

ORAL

THE HON LT-COL E-M BRITTO

How many public telephones are installed and available to the public south of Referendum Gates?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, I am informed by the telephone company, that there are three public telephone booths south of Referendum Gates and over 20 payphone facilities in public businesses such as bars, restaurants etc. There are another three paybooths in MOD areas.

SUPPLEMENTARY TO QUESTION NO. 50 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, will the Minister give us an indication of where the three public phones are?

HON J C PEREZ:

Yes Sir. One is in Europa Road, the other one is in Camp Bay and the other one is in Little Bay, south of the Referendum Gates.

HON LT-COL E M BRITTO:

It may interest the Minister to know that at least during the summer period of last year both the telephones in Camp Bay and Little Bay were out of order throughout the whole summer. I do not know whether they have been repaired since then and are working.

HON J C PEREZ:

Mr Speaker, they are only supposed to be functioning in the summer, anyway.

HON LT-COL E M BRITTO:

They were not.

HON J C PEREZ:

The experience of the Honourable Member is taken on board. Is that the basis of the question of the Honourable Member?

HON LT-COL E M BRITTO:

No, Mr Speaker. The basis of the question is a serious one. I was not, quite honestly, including Camp Bay and Little Bay which I would have looked upon as functional

telephones only during the summer periods. The basis of the question is again from representations that have been made to Members on this side on the need for telephones south of Referendum Gates. I put it to the Minister to consider that one telephone in the whole of the south area along Europa Road - ignoring the telephones inside businesses and so on which are not really public telephones - and to agree with us that there is a need for increasing the number of public telephones which are needed throughout the south district.

HON J C PEREZ:

I shall put it to the company, if he wants, but the general view is that there will not be much usage for them because 97% of people living in the south area have a private telephone themselves and with the 20 payphones in public facilities they seem to be satisfied. But I shall put the anxieties of the Honourable Member to the company.

HON LT-COL E M BRITTO:

Mr Speaker, by the logic that 70% are private telephones there should not be any public telephones in the town area either.

HON J C PEREZ:

Mr Speaker, the town area is used by tourists whereas the south area is not so much used by tourists and the Navy.

HON H CORBY:

Mr Speaker, will the Honourable Member consider advising the Telephone Department to have one installed by the Post Office in the south district? Would that be agreeable to the Hon Minister?

HON J C PEREZ:

Mr Speaker, I will put it to the telephone company and it will be up to them whether they put it or not. But I will pass on the comments of the Members.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Will Government make public the terms of the contract between Government and Gibraltar Nynex Communications?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, when entering into contracts with the Government, reputable international companies such as Nynex and Lyonnaise include normal clauses of confidentiality which both parties are bound to respect. I am therefore unable to make public the full terms of the contracts referred to by the Hon Member. Needless to say that he already knows this since he himself raised the matter at the time of the completion of the Nynex contract. Some of the terms of the agreement have already been made public, by agreement with the company, at the time of the signing of the contract. I would suggest that the Hon Member researches to see whether the information he now wants is already public.

SUPPLEMENTARY TO QUESTION NOS. 44, 45 AND 51 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, the Hon Member introduces the word "full" in his answer. I have not asked for full details. I am looking for what the terms of the contract are in general terms. Members on this side of the House have not been here for a long time and were certainly not here when that information was disclosed. I think it is as well in the public interest if that information could be made available in general terms.

HON J C PEREZ:

Mr Speaker, as far as the public is concerned, their interests have already been safeguarded since in general terms matters have been made public at the time of the signing of the contract. It is my view that we are not bound to answer in the House for any public information that exists. Mr Speaker, since the matter is made public it is open to Hon Members to look for it and get it however they want. There have been press statements. It is in Hansard in May 1990 and April 1991 on both Nynex and Lyonnaise and it is open to anybody to research it and look for it.

HON P R CARUANA:

Given, Mr Speaker, that these are or were important public utilities in the sense that they were owned by the people, does the Government consider that it is appropriate then that the Government should have agreed to the terms of contract containing a confidentiality clause? For whose benefit does such a clause exist in a contract which, in effect, privatises public assets?

HON J C PEREZ:

Mr Speaker, it is only at the instigation of the lawyers representing these companies such as OESCO, for example, that these clauses are being included. I presume that the Hon Member has not mentioned lawyers because of one of his clients.

HON P R CARUANA:

The Hon Member has not mentioned any utilities in his supplementaries, he has just referred to it in normal terms. But the mischievous purpose of the Minister's comments are taken on board. The fact of the matter is, will the Minister agree in future to resist, insofar as vicious lawyers acting for the utilities, the inclusion of clauses in contracts to privatise public assets which then give the Hon Minister a pretext for standing up in the House and saying: "I will not tell you the terms of the contract in which I have privatised your assets"?

HON J C PEREZ:

Mr Speaker, I have not said that. I have said that I have already said so. I have already explained to this House, to the general public on television, in the newspapers, everywhere else, what the terms of the contract, in general terms are and that has been with agreement with the companies concerned. What I am saying to the Hon Member is that he cannot expect to come two years later and say "we want the Minister to impart the same information again". I do not mind boring the House reading Hansard again, if the Hon Member wants to, but I think he can do his own research and save the House the delays that would have to be encountered if I were to read to the Hon Member the Hansard which is available to him for him to find out in private.

HON P R CARUANA:

Mr Speaker, I am not interested in general terms, I am interested in the detailed terms of contracts. We ought to have available to any member of the public who wants to know the basis and terms upon which its Government has, in effect, privatised public assets. I am not interested in the general terms or in the selected general terms that the Hon Minister may have in the past chosen to publish.

HON J C PEREZ:

Mr Speaker, I take offence from the term privatisation. It has been privatisation on a joint venture basis and the Government retains a shareholding in the company and has protected the workforce from the viciousness of privatisation which the Hon Member supports in his Thatcherite manner.

HON P R CARUANA:

It is privatisation to the extent that whereas before I could question him in detail about matters of electricity generation and water and telephone, now he can come and tell me that it is none of my business because it is in the hands of a private company. If that is not privatisation it is as near as that.

HON J C PEREZ:

I had not realised totally the extent to what benefits me. I will take it into account in answering other questions for the Hon Member.

THE HON LT-COL E M BRITTO

In respect of Phase I of the Westside Development, will Government say whether the Chief Fire Officer is satisfied that those Building Regulations and sections of the British Standard Code of Practice concerning fire resisting doors and precautions against fire which are applicable to Gibraltar and relevant to the responsibilities of the Fire Brigade have been complied with, as hitherto interpreted and enforced by the Fire Brigade?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Yes, Sir.

SUPPLEMENTARY TO QUESTION NO. 52 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, was there any abnormal delay in the Fire Brigade issuing certificates of fitness or whatever applies from the Fire Brigade point of view to the Department of Trade and Industry on the subject of fire safety in Phase I of Westside?

HON J C PEREZ:

Mr Speaker, I put this question to the Chief Fire Officer, because I had advance notice of the question as a result of the Hon Member having written to me, and the answer I received was "Yes, they are totally satisfied". That is it, Mr Speaker.

HON LT-COL E M BRITTO:

No, Mr Speaker, I am afraid that that is not it. There are a lot of supplementaries that I need to ask on this very important subject of fire risk and human lives possibly being at stake. I will put the following supplementary to the Hon Minister since like he himself has said, I wrote to him on the 27th February and to date have not had a reply, and would ask him why I have not received a reply?

HON J C PEREZ:

Mr Speaker, because the City Electrical Engineer and the Chief Fire Officer were both, at different intervals away from Gibraltar, and their letters to me to enable me to reply did not reach me until very near the meeting of the House and then the Hon Member gave notice of his question and thought it best to give him a reply in the House.

HON LT-COL E M BRITTO:

Fine, Mr Speaker. Will the Hon Minister agree, that according to the Building Regulations and the Standard Code of Practice all doors in new apartments with the exception of bathroom doors, cupboards and toilets, are required to be 30 minutes fire resistant?

HON J C PEREZ:

Mr Speaker, according to the reply from the Chief Fire Officer "Yes" and that is being complied with. In fact, the Hon Member asked me, in respect of the Fire Regulations, "I would refer you in particular to Building Regulations E15E11 and Table 1 to Regulation E1 and to Sections 2(2), 3(2), 1(1), 431 and 432 of the British Standard Code of Practice Chapter 4, Part 1 1971". The Chief Fire Officer has said that "Yes", he is complying with all the Sections and all the standards mentioned by the Hon Member.

HON LT-COL E M BRITTO:

Right, Mr Speaker. Can the Hon the Chief Minister tell this House on what basis, on what information, on what certificate and from whom is the Chief Fire Officer acting on to say that these doors are 30 minutes fire resistant?

HON J C PEREZ:

Mr Speaker, the Hon the Chief Minister may or may not, I presume, be able to tell the Hon Member but I am going to tell him. Mr Speaker, I have complete confidence in the information that I have been given by the Chief Fire Officer and by his Deputy. I have put the question that the Hon Member has asked to them and they have informed me that "Yes", they are complying with all the Regulations quoted. Then I have no need to question what they say because I am satisfied that they are telling the truth. I am therefore telling the Hon Member that as far as the Chief Fire Officer, his Deputy and his staff are concerned, their compliance has been given in writing and I have it in front of me in answer to a letter from the Hon Member to me. If the Hon Member is not satisfied with that he can put all the supplementaries that he wishes but unless he has facts to be able to suggest that the Chief Fire Officer is not telling me the truth I suggest that he keeps quiet.

HON LT-COL E M BRITTO:

Mr Speaker, yes I will ask further supplementaries. No I am not satisfied. Yes there is more information that I require before I am satisfied. I suggest that we all keep our cool, Mr Speaker, because this is a serious matter because should there be a fire lives could be at risk. Mr Speaker, I have information, which I will disclose in a moment, which shows that the essential part is not quite 100% accurate. I repeat the question that I asked a minute ago "Does the Hon Minister have the information on what basis is the Chief Fire Officer basing himself....."

MR SPEAKER:

I think we are now entering into repetition. The Hon Minister has stated on what he is basing himself and that is on his reliance on the Chief Fire Officer's Report. We cannot therefore go on asking the same question. So please proceed but do not repeat the same question.

HON LT-COL E M BRITTO:

Does that mean, Mr Speaker, that if I do not receive an answer I cannot be allowed to ask for it again?

MR SPEAKER:

The Hon Minister has already given an answer to your question.

HON LT-COL E M BRITTO:

I have not received an answer to the basic question. My information is, Mr Speaker, that the doors at Westside are about 35 millimetres thick and that the standard practice in the UK is for fire resisting doors to be not less than 44 millimetres thick. I wrote to the developers concerned and asked to see a copy of the fire certificate of the doors concerned and the developer refused to do so and referred me to the Chief Fire Officer. I cannot ask the Chief Fire Officer and that is why I wrote to the Hon Minister. The Hon Minister is not prepared to show me the certificate.....

HON J C PEREZ:

Mr Speaker, I have not said that.

HON LT-COL E M BRITTO:

Mr Speaker, I have asked to see the certificate.

HON J C PEREZ:

No, Mr Speaker, the Hon Member has not asked me to see the certificate.

HON LT-COL E M BRITTO:

Mr Speaker, I have asked on what basis is the Chief Fire Officer basing himself that the doors are 30 minutes fire resistant and have up to now not received an answer.

HON J C PEREZ:

Mr Speaker, can I clarify matters for the muddled Hon Member? I do not go around, Mr Speaker, measuring doors or checking whether the Fire Brigade do their work. If I were to do this I could not be the Minister with responsibility for so many Departments as I am. If the Hon Member expects that Ministers should actually physically do this type of work he does not

know what our role is. I have asked the professionals whether they are satisfied that the development is in accordance with the regulations that the Hon Member has mentioned. Their reply is that they are satisfied. I have not told the Hon Member that I refuse to show him the certificate. I have not seen the certificate. If the Chief Fire Officer is satisfied with the information provided well that then is good enough for me. What I have said and I repeat is that the word of the Chief Fire Officer is good enough for me. Let me add, Mr Speaker, that the Hon Member is making a big issue about something which is without foundation whatsoever because he is talking about people being at risk as a result of a fire hazard which is totally untrue and the last time that he put his foot in it, in this House, he was told to go and see Gibraltar Homes and after seeing them agreed with Gibraltar Homes that he would come back to the House and make an apology for the innuendos that he had made about the state of the houses. He has not done so and he is falling into the same trap again by creating innuendos about the safety of the flats which the Chief Fire Officer and all his staff say that does not exist.

HON LT-COL E M BRITTO:

Mr Speaker, I would ask the Hon Member to withdraw what he has just said.

HON J C PEREZ:

Mr Speaker, I shall not withdraw one word.

HON LT-COL E M BRITTO:

Mr Speaker, I was not told to go anywhere, I accepted an invitation from the developers in order to relieve some of the worries that I had. Some worries were relieved and others were not and I certainly gave no undertaking to anybody to come back to this House and say anything. If the Hon Minister is saying that I did then that is a total fabrication of the truth.

HON J C PEREZ:

Mr Speaker, I believe the developers and not the Hon Member.

HON LT-COL E M BRITTO:

Mr Speaker, I have been accused of fabrication and innuendos but I have here a report from the UK Timber Research and Development Association, Mr Speaker, the biggest fire testing organisation in the UK and the one that tests to established British Standards in UK. Before I proceed, Mr Speaker, will the Hon Minister accept that if there are facts in this report that are contrary to what he has said then there is legitimate cause for me to raise this in this House and he has no right to say what he just said?

HON J C PEREZ:

Mr Speaker, I have every right to say what I have said and I will restate what I said that I have every confidence in the Chief Fire Officer and his staff. If they say that the doors at Westside comply with the safety standards as specified by the Hon Member then I believe them. If the Hon Member does not, well then that is his problem and the onus is on him to try and prove the contrary. If the Hon Member fails to prove that then an apology is owed to those people.

MR SPEAKER:

This is now turning into a debate and I will allow the Hon Member one more supplementary. After that if the Hon Member wishes to pursue the matter he should bring a substantive motion or ask for the matter to be dealt with on the adjournment. What is certain is that he is not going to resolve the matter with more questions.

HON LT-COL E M BRITTO:

If necessary I will take the matter up on the adjournment but I would ask the Hon Minister that although I realise that he must accept the advise of his professionals would he accept political responsibility after I read the conclusion of this Report about part of a door from Westside which has been sent to UK to this leading testing agency. I will not read the whole Report but the conclusion states "as stated," and there are seven conclusions, "as stated it is our opinion that a full sized door set to the details submitted, if subjected to a BS476 Part 22 1987 fire resistance test would fail to achieve an integrity performance of 30 minutes". Now, Mr Speaker, this is not me inventing anything, this is the biggest testing agency in the UK. It is the one that tests all doors manufactured in the UK to British Standards and they are saying, amongst a number of other things, that the door will not stand up to 30 minutes fire resistance. Mr Speaker, will the Hon Minister also accept that this Report also says that "the hinges are made of a metal that is likely to melt in about 10 minutes, that the hinges have plastic or nylon bushes which are also likely to melt in that sort of time and that therefore the door would not stand up to the 30 minutes test but would collapse as a result of the hinges burning"? This, Mr Speaker, is too important because lives are at stake and I would ask the Minister whether an investigation needs to be carried out to establish whether the facts contained in this Report are true?

HON CHIEF MINISTER:

No, Mr Speaker. We do not accept political responsibility for a development which is not being carried out by the Government. The development is being carried out by a private developer and like every other development in Gibraltar has to be tested by professionals who have to satisfy themselves that they meet the required standards. The political responsibility that we will have to accept would be to discipline the people in the Fire Brigade if, in fact, they have failed to carry out

their jobs correctly which is the allegation that the Hon Member opposite is making. That, Mr Speaker, is the part that we will have to investigate, whether the allegations of unprofessional conduct on the part of the City Fire Brigade are justified or not. Certainly what, I think, the Hon Member ought to have the guts to do is to repeat what he has said in this House without the protection of parliamentary privilege so that Gibraltar Homes can sue him for the damages that he may be doing to their sales if it is proved that he does not know what he is talking about. So what I would invite him to do, Mr Speaker, if he is so confident of his grounds, is to repeat without parliamentary protection what he has said. Because commercially he is saying something which is very, very serious. What we have to satisfy ourselves is that the professionals that we employ in the Brigade know their job. We have no reason to doubt that because whenever our people from the Fire Brigade go to the UK they always come out with flying colours in competition with any other Fire Brigade, I do not think that the Hon Member is suggesting that these people are being somehow influenced to give unprofessional decisions. So it can only be incompetence in giving unprofessional decisions.

HON LT-COL E M BRITTO:

Mr Speaker, our intention in raising this matter is because it is our duty to bring this matter to the attention of the House and give it maximum effect to safeguard the lives of the people concerned. I have no intention of casting aspersions on anybody my concern is that I am told in a report that the doors are not 30 minutes fire resistant. My question to the Hon Minister is what action will he take to act on this Report?

HON CHIEF MINISTER:

No, Mr Speaker, I have already told the Hon Member the degree of our political responsibility. We do not know who has sent the door, we do not even know if the stuff that has been sent to the UK is a door from Westside. Presumably the people in UK have tested a piece of material that has arrived through the post and they do not know that that is a door at Westside. I imagine that the difference between the test carried out on the wood in England and the test done by the Fire Brigade here is that the Fire Brigade have gone actually down to the Estate. I do not know but I can tell the Hon Member one thing. If it is a purchaser who has obtained that information then it is up to that purchaser to take the matter up with the seller of the property. All that we have to do in the light of the doubts that the Hon Member has cast on whether the Department is doing its work properly is to go back to the Department. If the Hon Member wishes to take the matter further he must do so with the people who are building and selling the houses that are shoddy and a health hazard as the Hon Member is trying to make out they are.

HON LT-COL E M BRITTO:

Mr Speaker, on a point of fact. Can I clarify that the Fire Brigade in Gibraltar do not carry out any tests. Let us be clear about that. I am not accusing the Fire Brigade for not carrying out the tests properly. The Fire Brigade do not carry out the tests. The developers and the Fire Brigade act on a certificate that is produced for them, and this is what I was asking the Minister earlier on "What certificate has been produced to show that those doors are fire resistant?"

HON CHIEF MINISTER:

All that we know, Mr Speaker, is that as a result of an approach made by the Hon Member opposite, the Hon Minister did what he is politically charged with doing, he went to the Department said: "There is some doubt being cast on these standards being met, are you satisfied?" The answer has been "Yes". The Hon Member is saying that notwithstanding that the Hon Minister has been told "Yes", he has reason to believe that the Fire Brigade is wrong. The Hon Minister will go back to the City Fire Brigade and say: "Mr Britto thinks you are wrong".

MR SPEAKER:

Next question.

NO. 53 OF 1992

ORAL

THE HON LT-COL E M BRITTO

Is there a long-term aim to integrate the MOD Fire Fighting Services with the City Fire Brigade and, if so, what is the target date for this to be achieved?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

No Sir, the Government has no such plans.

SUPPLEMENTARY TO QUESTION NO. 53 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, does the Honourable Minister recollect that in a media interview, within the last three months, the Chief Fire Officer gave indications that there was a preliminary stage of integrating the two MOD Fire Services and then a long-term aim of integrating them with the Fire Brigade?

HON J C PEREZ:

Mr Speaker, the Chief Fire Officer was talking about the ideas that the MOD had put to them but the Government has no plans to do this. The MOD can carry on doing what they feel they should but the Government does not agree with those plans and will not continue with them.

MR SPEAKER:

Next question.

THE HON L H FRANCIS

Has Government studied the possibility of introducing a recycling scheme into the collection and disposal process of household waste in Gibraltar?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, Government has received a number of proposals from different parties for the recycling of part of the refuse disposed of in Gibraltar. We have studied these and have our ideas on the matter. None of the schemes looked at have proved to be either practical or economical.

SUPPLEMENTARY TO QUESTION NO. 54 OF 1992

HON L H FRANCIS:

Mr Speaker, I would urge the Government to continue or to still have an open mind on the matter because in this day and age we all have to do our part within the environment and if we want to take our place as a modern society.....

HON J C PEREZ:

Mr Speaker, the Government has an open mind on the matter but if it is very costly we will not do it. One of the things that we were planning to do was to have glass banks here but the vehicles that collect in the surrounding area refuse to come in and collect our own because of the problems encountered in the Customs and because of the narrowness of our streets. Anybody who would do it locally would first have to find an outlet for the material being collected and a site in which to deposit it. Sites in Gibraltar are so valuable and because the land is at a premium it is not a feasible business for anybody in Gibraltar. On the other side, the wood and carton part of the business is one which we do not want to promote because that is of a very high calorific value which we need for our own incinerator to mix with the humidity element of the refuse that we collect in Gibraltar generally.

MR SPEAKER:

Next question.

NO. 55 OF 1992

ORAL

THE HON L H FRANCIS

Has Government studied the possibility of installing sewage treatment facilities?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, Gibraltar still complies with the EEC standards on sewage disposal since populations of our size need not have treatment facilities. However already some research has been made towards the possibility of treatment in the future and to this purpose the laboratories of Lyonnaise des Eaux in Paris are studying ways in which this could be done. Gibraltar is rather unique in this since, because we use sea water for flushing our toilets, the traditional methods of treating bacteria are unsuitable for our needs.

SUPPLEMENTARY TO QUESTION NO.55 OF 1992

HON L H FRANCIS:

Mr Speaker, the Honourable Minister has pre-empted my next question which was, in fact, on EEC Regulations. Will there not be any effect, however, on EEC Regulations and Directives with reference to the quality of water at beaches, etc as opposed to the actual sewage itself?

HON J C PEREZ:

We continue to monitor that but we are complying with all the Regulations on that. We are one of the cleanest areas in the Mediterranean possibly because of the Straits and the currents here in the area surrounding Gibraltar.

HON F VASQUEZ:

Mr Speaker, I wonder if the Minister can confirm that there are inspectors who are in charge of inspecting and checking the quality of the sea water at our beaches?

HON J E PILCHER:

Yes, Mr Speaker, all the water at the beaches are tested once a week by the Environmental Health Department.

MR SPEAKER:

Next question.

NO. 56 OF 1992

ORAL

THE HON P R CARUANA

How does the creation of a production company by certain employees of GBC lower that Corporation's costs?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, let me remind the Hon Member that the last time there were exchanges over GBC across the floor of this House, it was he who suggested that I should not even be answering for the Corporation. I therefore find it strange that he should be putting questions to the Government of what is strictly Board policy. However, given that as part of the restructure plans at GBC an interest free loan has been given to the company by the Government, I shall inform him of the little I know on the subject. The number of employees who have joined the company are those who were previously employed in production, directly or indirectly. The arrangement with GBC is that the company will be producing a far greater number of local programmes than was the case previously mainly because of the need to do so in order to fill in the space negotiated with BBC. This will be done at practically the same cost as before, but the company is able to acquire business from other quarters to supplement its income. This GBC could not do previously.

SUPPLEMENTARY TO QUESTION NO. 56 OF 1992

HON P R CARUANA:

Mr Speaker, is the Hon Member saying that the Government has made a substantive loan to the production company although he knows little about it?

HON J C PEREZ:

Mr Speaker, I have told the Hon Member that the arm's length relationship that he insisted Government should keep with GBC is being maintained and that, therefore, the information is limited to the participation of the Government and that the Hon Member voted with me in favour of the £400,000 loan which we made to the company at the time when an explanation of what it was for was given to the House. So if the Hon Member was satisfied at the time I must have been as well if we both voted for it.

HON P R CARUANA:

Yes, that was the subvention the Hon Minister referred to GBC.

HON J C PEREZ:

No, that was the.....

HON P R CARUANA:

The £400,000 that we voted on was a vote to GBC and not a vote to any local production company. That came later and in private.

HON J C PEREZ:

I explained at the time, if he cares to look at Hansard, that it was a loan for GBC and that GBC would be buying the equipment and loaning it to the company which would be repaying the £400,000 over a ten-year period.

MR SPEAKER:

Next question.

THE HON P CUMMING

When will Calpe House start to function on a permanent basis as accommodation for local patients who go to the UK for medical treatment and will Government explain the reasons for the delay in achieving this?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, Government has been and continues to be in constant communication with the trustees over the delays encountered by them with the Westminster Council in London in respect of repairs which are being carried out to the property in question. The surveyor employed by the trustees initially advised them wrongly and as a result works being carried out to the building have had to be stopped whilst negotiations have been taking place between representatives of the trustees and the Council over certain conditions that the Council insist need to be met before the works can proceed. These are of a planning nature but in the meantime the amount of scaffolding around the building and the incomplete works to part of the extension makes the building uninhabitable. The latest position put to the Council by the trustees is that after a meeting last week the matter is again in the Agenda of the Council for the next meeting in which the legal representatives and quantity surveyors engaged by the Calpe House Trust believe everything will have been clarified and works allowed to proceed.

Mr Speaker, having noticed a reluctance on the part of the Westminster Council to clear matters expeditiously, I have been in constant touch with the Deputy Governor who in turn has been raising it with the Foreign Office to see whether they could 'explain more clearly' to the powers that be the great need that exists for the Calpe House to be in operation and the many people who could have used it, were it not for the delay, and who are encountering unnecessary hardship as a result. Mr Nick Carter from the Foreign Office was, in fact, present at last week's meeting to reiterate the position.

Mr Speaker, I would like to take this opportunity to praise the trustees for the hard work they are continuing to put in to see Calpe House realised and disassociate the Government from any aspersions cast upon them by the manner in which Opposition Members raised the matter publicly recently.

Government continues to support the trustees of Calpe House in doing everything possible so that it commences operation and is available to sponsored patients who may want to make use of it.

SUPPLEMENTARY TO QUESTION NO. 57 OF 1992

HON P CUMMING:

Mr Speaker, is the Hon Member satisfied that the Government, before investing so much public money in this venture, had done its homework properly to have prevented this sort of thing happening?

HON J C PEREZ:

Yes, Sir.

HON P CUMMING:

It seems to me, Mr Speaker, that the Minister is very easily satisfied. It seems to me that buying a listed building, even to a total amateur in such matters like myself would know that it is flawed with difficulties and to go bashing around a listed building in the centre of London they were asking for trouble. Now we cannot blame Madrid or the MOD or Brussels or anybody, we ourselves got into this and yet the Minister is satisfied that.....

HON J C PEREZ:

Not only the Minister, the whole House was satisfied when it voted the money. Everybody voted in favour of it with the details that we had at the time. We were all satisfied so at the time there were fifteen Members satisfied.

HON LT-COL E M BRITTO:

Mr Speaker, I am the only Member of the then Opposition who voted in favour at the time. One of the things why we voted in favour of, when it came up on the 29th May, 1990, was because of the assurance that we had from the Hon Minister who said, amongst other things: "It is in very good condition and the Government itself authorised expenditure to undertake a survey before we committed ourselves with the money and the only thing pending is approval from Westminster Council", and that is a straight quote from Hansard, Mr Speaker, of the 29th May, 1990. On that assurance and.....

HON J C PEREZ:

I can assure the Hon Member that the only thing still pending is the authority from the Westminster Council. The situation has not changed, that is the problem.

HON P R CARUANA:

Will the Hon Member confirm that the problem arises from the fact that unauthorised works were commenced on a listed building?

HON J C PEREZ:

No, Sir. I can confirm that the surveyor who was employed by the trustees of Calpe House authorised that work should proceed. We were then informed that the surveyor had not done this work properly and the trustees are now suing the surveyor. So one can go through the normal procedures and those normal procedures sometimes do not work as they should do. If the surveyor were to come to you with a report and you do not question the report of the surveyor, you take it and you go ahead with the works and then it happens that it is not the case. But let me say that the issue being raised by the Westminster Council, in my view (and it is a personal view that I take because, as you know, the question is very much in the hands of the trustees) are petty issues and in my view the bringing in of the Foreign Office man has made sure that the issue is more expeditiously dealt with. I think that they were dragging their feet because they might not like such an operation to be part of their Council area.

HON P R CARUANA:

Mr Speaker, I think the Hon Member is so fearful that he might inadvertently agree with something that I say that he says 'no' immediately after I finish and then started to talk. What he has just done is to confirm the question that I asked him. Will he confirm that the problems that have arisen are that unauthorised works were proceeded with? And the answer is 'yes'. I have not said who is to blame or who is not to blame but the problem arises from the fact that works were commenced before they were authorised by the Westminster Council.

HON CHIEF MINISTER:

The problem arises from the fact, Mr Speaker, that the street in which this particular building is had had a lot of work done on other buildings of a similar age and similar character and, in fact, precisely because the Government was involved in this particular building, we insisted that the proper procedures had to be followed. If it had been done without our involvement it would probably be open now but when the Westminster Council was approached they discovered not only that the building that had been purchased, which had been used to house students, had already had alterations done beforehand, of which they had not had any notice, but so had other buildings in the area. The Hon Member must be aware that the initial problem was that once this happened and once the permission for the operation was submitted and the use to which the building was going to be put was submitted to Westminster Council, Westminster Council came back and said it was against Council policy to allow buildings in that particular street to be used for short-term lets and they were not prepared to grant a change of use. This then had to go to appeal to the Secretary of State and I, in fact, wrote to Mr Heseltine asking him to intervene personally given the importance that this particular building had for our patients

who went to London. We believe that the fact that there was this extra external interest brought into the decision making process has not endeared the project to the Westminster Council who, as a consequence (we believe, we do not know whether this is true or not) are being unnecessarily obstructive.

HON P R CARUANA:

Mr Speaker, I am grateful to the Hon Chief Minister for what he has said. Is it not then a case that substantial amounts of taxpayers' money, in addition to all the money that was collected by public contribution, were invested in the purchase of the property which could not lawfully be used for the purposes for which it was required, namely, this was the fund for the acquisition of a home for visiting Gibraltarians, and it could not lawfully be used for that purpose without the consent of the Westminster Council and that that consent had not been obtained before we were committed to the purchase.

HON CHIEF MINISTER:

Mr Speaker, the only thing that the Hon Member is interested in doing is standing up and saying that we are to blame for whatever has gone wrong. Then I will cease trying to give him information and he can go away satisfied that he has put the blame on us and that can be the end of the story because, at the end of the day, it is not a question that money was unlawfully used for anything, this was money.....

HON P R CARUANA:

I have not said that money was unlawfully used.

HON CHIEF MINISTER:

This was money that was used with the authority of an Appropriation Ordinance which will no doubt at least keep him happy on that count. And having done it with an Appropriation Ordinance it was money used to buy a business not whether public money was being used to do something that was not authorised. It was public money being used to buy a property which on the basis of the information available at the time, was authorised. It was only because we insisted that any changes subsequently should go through the proper procedures irrespective of whether other people were properly following those procedures or not, precisely because there was public money invested and it is Crown property, that we started having the problems. The first problem we had was that the Westminster Council questions the fact that the Government of Gibraltar is the Crown. Now, if one is going to say: "Well, because there is a doubt in the mind of the Westminster Council whether the Government of Gibraltar is the Crown" because if it is Crown property, let me say none of the arguments of the Westminster Council apply because the Crown does not need to apply for permission. So that is one of the areas which immediately was in dispute which we have, in fact,

referred to the legal advisers in the Foreign Office because as far as we are concerned the property is in the name of His Excellency the Governor and as Crown property, in fact, we can do the alterations and inform the Council. The Hon Member cannot say he is surprised because I am giving him information to demonstrate that the conclusion which he just asked me to confirm is incorrect because at the time that we did it nobody was questioning that the Government of Gibraltar represented the Crown. Nobody was questioning that it was Crown property. Nobody was questioning the fact that the Crown can develop a property without requiring the permission of the local authority and that the local authority needs to be informed and does not have the right. So it was money that was invested in a project which everybody in the House agreed was a very good thing to support. It was a unanimous decision because we were all in favour of supporting it. It was on the basis of the information available at the time, that it was possible to do everything that we wanted to do at the time and we are saying, in fact, today that we believe that none of the problems that we have encountered should have been encountered. That is what I am telling the Hon Member. So it is not that somebody made a mistake, it is that we feel there has been unnecessary obstacles placed in the path for a variety of reasons.

MR SPEAKER:

I think the question asked for an explanation and the reasons for the delay and that has been given and we cannot depart from that issue. Next question.

NO. 58 OF 1992

ORAL

THE HON P CUMMING

In view of the recent tragic and fatal accident on the road crossing the runway apparently caused as a result of a motorcycle's wheels becoming entrapped in a gutter, what steps has Government taken to prevent recurrence?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, the questioner is pre-supposing that the accident was caused as a result of the motorcycle having entrapped its wheels in the gutter of the runway. I am informed by the Police that if this were true, the motorcycle should not have been in that area given that the gutter in question is outside the road markings painted by the MOD designating the road on the runway. I am also informed that the markings are deemed satisfactory by the traffic authorities.

SUPPLEMENTARY TO QUESTION NO. 58 OF 1992

HON F VASQUEZ:

Mr Speaker, may I reply to the Hon Minister that the gutter in question is approximately two inches from the edge of the road and in my opinion and in the opinion of anyone on this side of the House represents a substantial road hazard and is this not a question that concerns the Minister?

HON J C PEREZ:

Mr Speaker, it could be a precipice, for all we care. If it had been a precipice the person in question would have fallen down from the precipice. The road markings are there. People, according to the law and according to the Police, are required to keep within those road markings. If they go out of the road markings it is not the responsibility of the traffic authorities. They should not be going out of the road markings. It is not that there is a road with a gutter through it. It is that there is a gutter adjacent to the road and the person should not be in a gutter.

HON P R CARUANA:

Mr Speaker, are we to understand that the Hon Minister is concerned only with the Road Traffic Ordinance and not with the safety of the citizens of this community? Does he understand that what he is saying is that because anyone that encounters that danger must perforce have caused a breach of the Road Traffic Ordinance, that therefore he does not care the fate that they

HON J C PEREZ:

Mr Speaker, the Hon Member is trying to.....

HON P R CARUANA:

That is exactly what the Hon Member has said.

HON J C PEREZ:

Mr Speaker, there is an accident. A person dies from it and the Hon Member is trying to pin the blame on the Government for a person having died. This is incredible. This kind of Opposition is what leads, Mr Speaker, to non-constructive contributions in the House and to a disregard for proper conduct of democracy. Mr Speaker, let me say that I take the opinion of the Police and of the traffic authorities and this is what I have come to the House to respond to. They are saying that there is a probability that the wheels were entrapped in the gutter and that if this were true what are we going to do about it? Well, first of all, they have not established that that is the case and, secondly, the traffic authorities are satisfied that the people in question should be within the markings and the gutter in question is outside the markings. I do not think that there is anything further to discuss on this matter.

HON P R CARUANA:

So, Mr Speaker, if there were a road adjacent to a cliff at a bend this Government would not follow the practice of Governments anywhere in the world of having barriers round the outside edge because after all if somebody goes off the road and falls over the edge of the cliff they must necessarily have been driving without due care and attention and whatever fate they meet thereafter is their fault.

HON J C PEREZ:

If the traffic authorities recommend it, yes, but I doubt that a fence across the runway would do the trick, Mr Speaker.

HON F VASQUEZ:

Mr Speaker, I think the point at issue here is this. One person has already been killed as a result of the purely.....

HON J C PEREZ:

No, Mr Speaker, a person has not been killed because of that.

MR SPEAKER:

Order, order. Let the Hon Member ask a question.

HON F VASQUEZ:

Mr Speaker, there is a gutter not inches from the edge of a road in an unlit road which has already been proved to be exceedingly dangerous and the purpose of the question is to ask the Minister whether he recognises that he has a responsibility to try and ensure that that sort of accident does not reoccur. Does the Minister 'feel he has that responsibility?

HON J C PEREZ:

On top of it all it is MOD land.

HON P R CARUANA:

The responsibility for the welfare of the local community does not rest with the MOD unless there has been a drastic change in the philosophy of the Members opposite, it rests with the Government. All that it would require is for the Minister to have said, for example, that that gutter ought to be covered over with some sort of grill but we know now.....

HON J C PEREZ:

Mr Speaker, I am sorry, I take my advice from the professionals. We are back to the same thing. If professionals that the Government of Gibraltar employs say that they are satisfied with the conditions, I am satisfied with that, Mr Speaker. I do not see the danger that Hon Members see and it has not been proven yet that the fatal accident occurred, as Hon Members think it should have occurred. In any case, Mr Speaker, the manner in which Hon Members are raising the issue is deplorable. The kind of Opposition we have now, Mr Speaker, certainly reflects the amount of votes that they got.

HON P R CARUANA:

The approach of Hon Members opposite, namely, us, on this issue, reflects the attitude of the Hon Minister in answering what is a perfectly simple, civilised question. But as he interprets everything as a a personal attack and defends himself on that basis, he ought not to be surprised that tempers are raised. But they are raised by him and not by us.

HON P CUMMING:

Mr Speaker, months before the accident happened there were already complaints in a letter to the press - I know the Hon Mr Perez is not very keen on letters to the press - but there was a letter to the press complaining about that very gutter. The gutter goes deeper and deeper, if you get out of it quickly enough you are alright but when it gets too deep you fall. I was lucky to get out just on time. But there have been many complaints. All you have to do is drive a motorbike and you will see how dangerous it is.

HON P R CARUANA:

I think the attitude of the Hon Gentlemen opposite is quite clear. They believe that you should not be driving in the gutter and if you do and get killed, well, that is your problem. I think that is the comment that has just come from the other side.

HON CHIEF MINISTER:

We believe Members opposite are engaging in gutter politics, Mr Speaker.

HON LT-COL E M BRITTO:

One final point, Mr Speaker, if I may. Would the Minister, who I know does not ride a motorcycle, accept that driving a motorcycle in that area under certain wind conditions can be fairly hazardous. The wind will push a motorcyclist sideways ten or twelve feet off the road and, in fact, I have seen a whole group of motorcycles pushed in front of oncoming traffic and there have been accidents averted or caused through no fault of anybody driving.

HON J C PEREZ:

Sp we will have a safety net in case it is windy?

HON LT-COL E M BRITTO:

The point I am making is that that is one of the problems with the gutter. However safely people drive it is very easy to go into the gutter unintentionally.

MR SPEAKER:

And the question is?

HON LT-COL E M BRITTO:

The question is, back to what we were saying, will the Minister accept that there is a need to at least think about doing something about it instead of raising the temperatures.....

HON J C PEREZ:

No, Sir.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Following an incident earlier this year of a fire in a car in the frontier queue, has Government made any plans to make the area safer for the occupants of cars trapped in "the loop" should a similar incident re-occur and what funds have been earmarked for this?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, as I have explained once before already, the emergency exits distributed around the loop and the continuous Police presence in the area, is thought by the Police to be sufficient adequate safeguards which will allow them to respond expeditiously were there to be a similar incident to the one mentioned by the Hon Member.

SUPPLEMENTARY TO QUESTION NO. 59 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, will the Hon Minister accept that what he has just said goes totally contrary to what the Chief Fire Officer said in a media interview where he said that the conditions for exist from 'the loop' are not totally satisfactory, with which I would agree because they are fairly well spaced out, and that a study had been made and that there were intentions to modify to make the area safer? What I am asking is what those plans are.

HON J C PEREZ:

Mr Speaker, I have not heard what the Chief Fire Officer has said but the people I asked to see whether they could get to the car immediately and out of 'the loop' are the Police and the Police seem to be satisfied that they can do it. Notwithstanding that, I know that there are plans for extending the loop and if those go ahead there will be better safeguards. That does not mean that the system that there is today is not sufficiently adequate for the Police to respond to the incident. The fact that you can make it better is something that has been taken on board in reviewing what is going to happen to the loop, whether it is going to be extended or not.

MR SPEAKER:

Next question.

30.4.92

NO. 60 OF 1992

ORAL

THE HON LT-COL E M BRITTO

What practical arrangements is Government making to alleviate the traffic chaos that will occur during peak periods this summer if car drivers approaching the toll paying entry point to the Nature Reserve realise the level of the entry fees, decide not to pay and attempt to turn round in the narrow confines of Engineer Road to drive back down towards Europa Road?

ANSWER

THE HON THE MINISTER FOR TOURISM

Answered together with Question No. 102 of 1992.

THE HON LT-COL E M BRITTO

Is Government aware of the danger to motorists, motorcyclists and cyclists due to the slippery surface of the road in the area of the Sun Dial roundabout and will it say what remedial action will be taken?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, Government is aware that the area referred to by the Hon Member is starting to become slippery and Police notices warning motorists of the fact have been put up. Because the area is constantly in use a new method of resurfacing has been identified so that the road may be repaired overnight, thus inconveniencing motorists as little as possible and ensuring a continuous traffic flow.

The area is earmarked for this coming year's roadworks programme and should be done shortly after the House has voted funds for this purpose as part of the Appropriation Bill.

THE HON LT-COL E M BRITTO

Will Government consider the construction of a suitable ramp along Forty Steps to make access to the Upper Town easier and shorter from Town Range and vice versa for persons pushing prams?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, no Sir. Government considers that the suggestion made by the Hon Member is preposterous.

SUPPLEMENTARY TO QUESTION NO. 62 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, I am surprised by the comments from the Honourable Member seeing that the person who approached me in making the suggestion told me that he had made the same suggestion to the Hon Chief Minister in 1988, shortly after the election, who had said: "What a very good idea. I am going to mention it in my address".

HON J C PEREZ:

Mr Speaker, I do not know whether you have been to the area recently but anybody who goes to that area can see that because of the steepness of it we would need to have a hoist to pull up the prams and the mothers later. We do not agree with the suggestion of the Honourable Member. No, Sir.

HON P R CARUANA:

Which puts into doubt the Chief Minister's judgement in 1988, if indeed he made the comment.

HON CHIEF MINISTER:

I think he got me cold with the suggestion.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Is the eastern side of Corral Road between the Public Markets and Smith Dorrien Bridge a paying car park and, if it is not, why were there traffic signs in this area indicating that it is and that appropriate tickets must be purchased from non-existent machines?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, the area referred to by the Hon Member was designated as a paying car park until some two months ago. When the infrastructural works on the upper side of Corral Road was completed, the paying car park area was moved to that side and the ticket machines removed from the eastern side. The Road Section of the Department of Trade and Industry have now been notified that the notices need to be removed and the lines on the road, washed away. There has been a slight delay in doing this because the Traffic Commission is considering the re-routing of the buses and might want different road markings in the area.

Indeed, Sir, I believe that work has already started in the area in question.

SUPPLEMENTARY TO QUESTION NO. 63 OF 1992

HON LT-COL E M BRITTO:

I almost withdrew the question, Mr Speaker, but I thought I would leave it. I thank the Hon Minister for his information. It may interest him to know that having placed the question last week I was very interested to see that in the early part of this week all the signs had disappeared.

HON J C PEREZ:

Not the road markings because we have not implemented the system yet.

HON LT-COL E M BRITTO:

The road markings are still there but the signs disappeared.

HON J C PEREZ:

I might give the Hon Member a job in the Efficiency Committee.

HON LT-COL E M BRITTO:

I take that as a compliment, Mr Speaker.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

What permanent parking facilities will Government make available to container lorries and similar large sized heavy goods vehicles during their obligatory 24 hour stay in Gibraltar for unloading and reloading purposes before returning to their country of origin?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, some weeks ago representations were made to Government about the facilities referred to by the Hon Member. The car park at the MOT Test Centre was immediately made available to those concerned and this seems to have alleviated the problem temporarily.

In the meantime the MOD have been approached with several proposals as to possible sites that they might be able to make available to the Government of Gibraltar for the purposes of accommodating the heavy goods vehicles.

SUPPLEMENTARY TO QUESTION NO. 64 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, I thank the Hon Minister for the information. I assume from the reply that it will be expedited and not left.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

In view of Police warnings of prevalent and increasing numbers of incidents of damage to, breaking into and thefts from motor vehicles at night, what steps is Government taking to improve the standard of lighting at public car parks?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES

Mr Speaker, neither the Police nor anyone else has suggested to Government that the level of lighting provided in public car parks has had anything to do with the recent spell of incidents including damage to and theft from vehicles. Indeed, the public campaign mounted by the Police coupled with a more intense policing of the areas concerned seems to have put a stop to such incidents.

SUPPLEMENTARY TO QUESTION NO. 65 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, there was no intention in my question to suggest that there was a link, it seemed to me so obvious that if there is bad lighting there are increasing incidents that one has to be linked to the other. I take it from the answer that there is no intention to provide more lighting?

HON J C PEREZ:

There are no plans because no one has suggested that there is bad lighting.

HON LT-COL E M BRITTO:

Mr Speaker, in places like Naval Ground Car Park, Engineer Lane Car Park and Grand Parade Car Park, it is not a question of bad lighting, it is a question of no lighting.

HON J C PEREZ:

Mr Speaker, Grand Parade Car Park and Engineer Lane Car Park have lighting. As regards the Naval Ground Car Park we are reviewing the situation whether we are going to keep it as it is or it is going to change either position or structure. So I shall correct the Hon Member and tell him that we introduced lighting in the two other car parks that he mentioned, last year.

MR SPEAKER:

Next question.

THE HON F VASQUEZ

Have any locally owned businesses been granted exemption from import duty under the Import Duty (Exemptions) (Amendment) Regulations 1991, and if so, which are they, when were they granted exemption and in relation to what category of goods was such exemption granted?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, if by locally owned the Hon Member means a business owned by a Gibraltarian, it is not possible to say whether any business granted exemptions are businesses owned by Gibraltarians or not because there is no requirement in the application with reference to the nationality of the shareholders in the business.

At present the only one exempted is Kvaerner.

SUPPLEMENTARY TO QUESTION NO. 66 OF 1992

HON F VASQUEZ:

Is the Minister saying that only one company has been granted exemption under these Regulations?

HON M A FEETHAM:

That is correct at the moment.

MR SPEAKER:

Next question.

30.4.92

NO. 67 OF 1992

ORAL

THE HON P R CARUANA

What exemptions of import duties have been given to the developers and/or the contractors of the Europort and Eurotowers Projects?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

None, Sir.

30.4.92

NO. 68 OF 1992

ORAL

THE HON F VASQUEZ

Does Government intend to accord the same generous tax concessions in terms of 100% allowances on new capital expenditure and exemptions on import duty to established and locally owned hotels as to new hotels currently under construction?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, the same generous tax concessions of 100% have been given to new construction of hotels until now and the Government has no plans to change this policy in respect of any future new hotel.

SUPPLEMENTARY TO QUESTION NO. 68 OF 1992

HON F VASQUEZ:

I am not sure I follow the Minister's answer, Mr Speaker.

HON M A FEETHAM:

In other words, Mr Speaker, I will make it even more simpler. All new hotels that have been built in Gibraltar in the past, the same as the present ones, have all been given 100% development aid.

MR SPEAKER:

Next question.

THE HON F VASQUEZ

Does the Government intend to introduce tax or other incentives for new businesses opened in Gibraltar by Gibraltarians?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, the Government does not intend to introduce any incentives available only to Gibraltarians.

The introduction of incentives for new businesses are designed to attract to Gibraltar businesses established elsewhere and are not dependent on the nationality of the shareholders.

SUPPLEMENTARY TO QUESTION NO. 69 OF 1992

HON F VASQUEZ:

Mr Speaker, perhaps I could try and impress upon the Minister that the purpose of the question was to represent to the Minister the fears that abound amongst the local business community within Gibraltar, that the Government is going out of its way to grant exemptions and concessions to businesses coming in from abroad and the question is designed to elicit an answer as to whether there is any intention on the part of the Government to try and encourage Gibraltarians themselves to establish new businesses that will lead to employment of Gibraltarians and the expansion of the local community?

HON M A FEETHAM:

First of all, nationality has got nothing to do with the principles involved here in the establishment of new businesses and tax incentives. The other thing is that we have not given any exemptions. The only exemption we have given is to Kvaerner which everybody knows was in the best interest of Gibraltar and that we should come to an agreement with that particular company. If there are things that are important to the economy in that respect, of course, they will be judged on the day and the decision will be made accordingly.

MR SPEAKER:

Next question.

THE HON F VASQUEZ

Has the Government succeeded in obtaining any firm commitment for the establishment of any light industrial activity in the New Harbours in respect of a business not already established in Gibraltar and which will therefore be a fresh source of employment for the local economy and, if so, which?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, it would be commercially improper to state in the House matters concerning any negotiations being undertaken in respect of new businesses desiring to set up in the Industrial Park until such time as these have been completed and the interested party desires to make it public.

SUPPLEMENTARY TO QUESTION NO. 70 OF 1992

HON F VASQUEZ:

Mr Speaker, is the Minister saying that, in fact, to date there have been no firm commitment for the establishment of any fresh light industrial activity in the New Harbours area?

HON M A FEETHAM:

No, that is not what I have said.

HON F VASQUEZ:

Well, Mr Speaker, what he has said is that he is not prepared to give that information until that company has established itself. So as the question is "has any firm commitment been made by any fresh light industry concerned", obviously one has to assume that there has been that firm commitment.

HON M A FEETHAM:

Mr Speaker, I think the Hon Member opposite can assume what he likes on what I have said but I think I have made it quite clear that it would be improper to state what is happening in respect of new businesses moving to the Industrial Park because we consider it to be commercially improper to do so and until such time as those things are completed and the interested parties themselves wish to announce that they have moved to the Industrial Park, it will be very much up to them. It is not up to the Government.

HON P R CARUANA:

If I can slightly rephrase the supplementary, Mr Speaker. Would it be true to say that there are such businesses but that the Hon Member is not at liberty or willing to have them?

HON M A FEETHAM:

I think you can infer that by the way I have answered the question.

HON F VASQUEZ:

But are these light industrial businesses which are going to bring new employment to Gibraltar and which have made a firm commitment? They may not be prepared to disclose it at this stage but have the Government got a firm commitment from firms to establish a light industrial base in that New Harbours area?

HON M A FEETHAM:

As I say, matters are under negotiation and until they have been completed and all aspects of it..... - the Hon Member opposite laughs and I do not know why he tends to do that but I think he is obviously being cynical. The realities are that as a legal representative of a company who has been dealing with matters of the Government in the past, he will understand that these things are commercially in confidence. Until everything has been worked out and all matters are looked at in relation to what we want to do in the Industrial Park and what the interested party wants to do; it takes some time; it would not be proper to say one way or the other because people may even want to withdraw at the end of the day.

HON F VASQUEZ:

Mr Speaker, I have to insist. I am not asking the Minister to state what industry it is. I am only asking him to confirm that, in fact, there is a firm commitment so that when the New Harbours opens in six months time we will have the establishment of a fresh industrial base in Gibraltar. I am not asking him, Mr Speaker, to tell me what company it is and what it is going to indulge in. What I am asking is, "Has there been a firm commitment yet from a single new manufacturing concern to establish in that area?"

HON M A FEETHAM:

There are a number of proposals under discussion, Mr Speaker.

HON F VASQUEZ:

Of proposals? I am asking for firm commitments.

HON M A FEETHAM:

This man, obviously, believes in instant miracles but this is not the reality of commercial.....

HON F VASQUEZ:

I am asking for an answer.

HON M A FEETHAM:

Mr Speaker, I am answering the Hon Member. He was asking for more details than just an indication and I have said that I am not prepared to disclose commercial negotiations in this House. It is up to the company that wants to move in if it wants to make it public at the time that it decides to set up in Gibraltar. On top of that, I have already said to the Leader of the Opposition that by the way I have replied to that, that there are interested parties that want to set up and there are on-going discussions and let us hope, for the sake of Gibraltar, that it does result in being successful and we do get new businesses and we do get new jobs, Mr Speaker.

MR SPEAKER:

Next question.

NO. 71 OF 1992

ORAL

THE HON F VASQUEZ

Other than the Department of Trade and Industry, what Government Department or Government Office or company in which the Government has a shareholding is the Government contemplating relocating in Europort?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, the Company and Shipping Registries.

Insofar as any company is concerned, if any, such a decision will be taken by the company itself and not by the Government.

SUPPLEMENTARY TO QUESTION NO. 71 OF 1992

HON F VASQUEZ:

Well, the question refers to Government Departments as well as companies.

HON M A FEETHAM:

Mr Speaker, the Company and Shipping Registries.

MR SPEAKER:

Next question.

THE HON P R CARUANA

Mr Speaker, the answer to this question, of course, is implicit in the previous one and here is one question which could legitimately have been answered together with the previous one.

Is the Government considering moving the Supreme Court to Europort or elsewhere?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

No, Sir. I am sure to the delight of the Judiciary, Heritage and everybody else.

SUPPLEMENTARY TO QUESTION NO. 72 OF 1992

HON F VASQUEZ:

Mr Speaker, if I could ask a supplementary which is really relevant to the last question. The question I would like to put to the Minister is this. Has Government at any time ventured into any undertaking to the developers of Europort that Government will take all steps necessary or try and ensure.....

MR SPEAKER:

This is a different question altogether.

HON F VASQUEZ:

No, it refers to Europort.

MR SPEAKER:

You cannot now, that question has passed. We are talking now about the moving of the Supreme Court.

HON F VASQUEZ:

No, I was referring to whether the Government had given any undertaking to the developers that they will take steps to.....

MR SPEAKER:'

I think you want to ask another question. The question is about the Supreme Court and Europort. We cannot go now generally what the Government's policy has been with Europort. Next question.

30.4.92

NO. 73 OF 1992

ORAL

THE HON P R CARUANA

Have any public funds been invested directly or through Government owned companies in the Queensway Quay Project or the Europort Project or any other property development project and, if so, how much in each such project?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

No, Sir. Other than the shareholdings obtained as part of the consideration for the disposal of the land for the project, information made public at the time, there are no other investments.

NO. 74 OF 1992

ORAL

THE HON F VASQUEZ

Does the Government have any plans to develop the Port to enhance its contribution to Gibraltar's overall economic performance and, if so, what are those plans?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, there are no specific plans for the Port alone. Clearly the utilisation of the Port is linked to the overall performance of the economy.

However, in close consultation with the commercial interests involved, the Government responds to projects designed to create more business.

SUPPLEMENTARY TO QUESTION NO. 74 OF 1992

HON F VASQUEZ:

Mr Speaker, can I ask the Minister then if the Government has any immediate plans, at this stage, to try and develop the Port area. At least, from the point of view of a reception area for visiting liners to try and redress the recent and continuing fall in numbers of liners visiting Gibraltar and to make the area a more attractive amenity for tourists getting off liners in Gibraltar?

HON M A FEETHAM:

Mr Speaker, the Hon Member opposite refers to liners. I have talked about the Government responding to the overall performance of the Port in relation to the economy and you will see even from the figures published by the Chamber of Commerce that as a result of decisions which we have taken with regards to the Port there has been enormous increasing activities in matters like offshore banking and so on. So it has not been a general decline. Insofar as the liners are concerned, I could not agree more with the Hon Member opposite but that has to be taken into consideration with everything that has been happening in the Port in relation to the reclamation, in relation to putting the infrastructure in place and so on. As we are now getting over that particular problem, we will, of course, look at improving that aspect for the people coming ashore from liners so that they get the same kind of presentation as they would do at the airport and elsewhere; because first impressions are very important.

HON P R CARUANA:

Mr Speaker, is the Hon Minister for Trade and Industry aware that the Spanish Government has issued instructions to all its visa issuing authorities to the effect that they should not issue visas for crew transitting Spanish territories to or from Gibraltar and although I knew this before, I can tell you that I have myself been the victim of it within the last.....

MR SPEAKER:

I must warn the Leader of the Opposition that in asking supplementaries he cannot include something that was not contained in the original question. I will allow it this time because I think it is of general interest but please will questioners bear that in mind. I have been extremely lenient today but will you please bear that in mind for the future because gradually I shall have to restrict it to the contents of the original question. We cannot just wonder away.

HON P R CARUANA:

Mr Speaker, I am always grateful to Mr Speaker for his laxity and generosity. The question that I am going to put could not be more connected with the aspect of the business and development of the Port and I am certain that when Mr Speaker hears the question that I am going to put he will agree.

MR SPEAKER:

That is why I have allowed it. But remember we are talking now about what it says here "contribution to Gibraltar's overall economic performance and, if so, what are those plans?" The question asks: "Does the Government have any plans to develop the Port...." but we are talking now about foreign affairs. Please go ahead.

HON P R CARUANA:

Is the Hon Minister aware that the Spanish authorities will not grant visas either for crew disembarking in Gibraltar and transitting to Malaga airport or crew arriving at Malaga airport and Madrid to transit overland to Gibraltar and that therefore that has serious and great potential to diminish the visits of ships to Gibraltar? I do not say this by way of criticism of the Government but simply by way of information because I have, in the last 48 hours, tried to repatriate the crew of an arrested ship from Gibraltar and they have been refused visas. Would the Government agree that such steps, if not rectified by the authorities which are not the Gibraltar Government in this case, would have the potential to decrease the number of ships that visit Gibraltar since they tend to visit for crew changes and other things?

HON CHIEF MINISTER:

Yes, Mr Speaker, I regret to say that I am aware of that. This was brought to my attention by representatives of the Shipping Association and I have raised the matter with the UK Government to formally protest about this but I am not sure that that necessarily produces the desired results. I agree with the Hon Member that, in fact, providing crew changes is an important part of the facilities our Port offers and therefore we want to be able to do it without hindrance.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

What steps, if any, is Government taking to give greater protection to boats berthed at Western Beach and will Government consider favourably the request of the boat owners concerned for their berths to be relocated at a safer and more suitable location?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, Government has done what it could reasonably do to assist.

The Committee at Western Beach are fully aware of the facts.

Insofar as further relocation is concerned, if the Member opposite has any suggestions, I will consider them.

SUPPLEMENTARY TO QUESTION NO. 75 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, in view of the considerable losses to some of the owners that have been suffered and in view, I understand, that the situation is likely to become worse because insurance companies are now refusing to provide cover to boats berthed at Western Beach, I would suggest that the Minister might agree with me that the matter deserves slightly more serious consideration than merely trying to bat it back across the floor. It is meant to be a serious question whether alternatives can be found or if not, whether the present berths can be better protected?

HON M A FEETHAM:

Mr Speaker, I think this matter has been aired in the past on a number of occasions. This was a situation when we came into office in 1988. The Camber had been disposed of by the previous administration in an agreement with Taylor Woodrow and it was left up to us to find a solution. We have looked at every possible conceivable place where we could put approximately 500 small boats. We also had the Montagu Basin to relocate, but we found two areas. One was alongside Waterport and the other one was Western Beach. Having identified that area as being the area, we then had to get clearance from the RAF, the Foreign Office and everybody else. Having got clearance we had to spend a considerable sum of money, after having done two separate Survey Reports by

hydraulic experts, to establish how we had to construct the groins that would protect the boats in there. We have done everything that is possible at great public expense. Historically, the boat owners have been paying a very low fee. Some of them have got very big boats that ought to be better in private marinas but we have accepted that and at the end of the day the return that the Government is getting is peanuts for the investment we have had to make. Gibraltar is very small and if the Member opposite can tell me where else we can put the boats then, of course, I will be only too happy to look at it. Let me tell you that one of the suggestions was Rosia Bay. Having surveyed Rosia Bay and having looked at the expense of protecting just the arm that is there, without actually closing the very wide opening, that turned out to be over £2m. So really it is a problem that we have had to face because I think I have probably had about 70 meetings with different boat owners and Associations over the last two years. We have done what we could reasonably do. The problems are, I think, more to do with the winds than of actual protection. I have done, as the Minister responsible, everything that is humanly possible to do. And what I have now said to them as a matter of public information, is "Look, instead of giving us the fees for the boats, keep the fee and help yourselves as a cooperative to maintain your boats and cover your costs in that way". So instead of us getting the £30,000 or £40,000 a year that we may be getting out of that, it will go to them and they will need to enhance that. That is all I can reasonably do and I am quite happy that I have done everything possible, Mr Speaker.

HON LT-COL E M BRITTO:

Mr Speaker, I appreciate the difficulties and the explanation. Talking of alternative sites - and let me say I have no interest myself personally or expert knowledge to bring into the matter - one possible site that was suggested was the area within the Port where the Rowing Clubs are going to be reallocated. Is that totally unsuitable?

HON M A FEETHAM:

First of all, it is MOD waters. We are talking about having HMS Rooke adjacent to the boats. That is MOD waters. That is where the special boats squadron is housed and where the Royal Yacht Club is as well. But apart from that let me tell you that the long-term planning of the MOD is not to release that area. It is to concentrate in that area and move out of other parts. So it is not possible. Let me give you my undertaking that I have really looked at that problem from top to bottom and I cannot do more than what I have done.

MR SPEAKER:

Next question.

30.4.92

NO. 76 OF 1992

ORAL

THE HON LT-COL E M BRITTO

Has the area on the Eastern side known as "NATO Distilleries" been handed over to Government, and if so, what are Government's future plans for this area?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 76 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, are there any indications that it is going to be handed over?

HON M A FEETHAM:

There are indications but I have not got any dateline at the moment.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Has the FHQ building in Rosia Parade already been handed over to Government and, if not, is it expected that this will happen and when?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 77 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, how do I understand the "no" in terms of the question?

HON M A FEETHAM:

No, it has not been handed over. No, we have no indication what is going to happen to it. It is still internally being staffed by the MOD.

HON LT-COL E M BRITTO:

Thank you, Mr Speaker.

MR SPEAKER:

Next question.

THE HON M RAMAGGE

Will Government provide a full list of all MOD properties that have been transferred to the Government of Gibraltar since March, 1988?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Sir, most of the properties have been transferred in recent times, as against 1988, and are as follows:-

W/T Station
 Transport Lane
 49 Europa Road
 Sergeants' Mess
 Gibraltar Regiment Officers' Mess
 Raglan Battery
 19 Town Range
 13 Town Range
 Elliots Battery
 Buena Vista Barracks
 1-6 Europa Pass
 1-10 Buena Vista Flats
 16 Library Street
 Brewery Crusher
 Boat Squadron - New Camp
 1-4 Rosia Cottages
 Part of Governor's Cottage Camp
 1-3 Hospital Ramp
 Four Corners Guardroom
 317 Main Street
 Queen's Street
 21 Town Range
 Bayview 1-2 - 49 Line Wall Road
 Cumberland Buildings
 Tower Buildings
 BFBS
 8 Rodger's Road
 South Barracks
 Europa Road Hockey Pitch
 St George's School
 British Lines
 Peppertree Cottage

THE HON L H FRANCIS

What plans does the Government have for the King's Bastion site once the Generating Station is dismantled?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

None, Sir.

SUPPLEMENTARY TO QUESTION NO. 79 OF 1992

HON L H FRANCIS:

Mr Speaker, is the Hon Minister in a position to say when the Generating Station will be dismantled?

HON M A FEETHAM:

No, Sir, but I think my colleague will probably give the Hon Member a better reply.

HON J C PEREZ:

Mr Speaker, there are two phases to it. One is that there is a possibility of selling one of the engines intact. That we are pursuing. For the rest of it we would have to take offers from scrap merchants because it is scrap. But believe it or not, engine no. 13 is still going strong.

HON L H FRANCIS:

Mr Speaker, can I ask the Hon Minister for Trade and Industry whether Government will undertake to ensure that any future development of the site protects and enhances the historical character of the area?

HON M A FEETHAM:

Absolutely. That must be the philosophy because it is one of the key sites to the Fortress of Gibraltar.

HON P R CARUANA:

Mr Speaker, given that very helpful and valuable admission - I do not use the word "admission" in any derogatory sense - that that is indeed a valuable and historic site. Would Hon Members opposite consider using this when it comes up for redevelopment, as some sort of experiment given their concern

that public consultation has the capacity to tie developments up in knots? Would Members opposite consider using the development of this site experimentally and allow public consultation when it comes to proposals before they are approved?

HON M A FEETHAM:

Well, what is happening is, in fact, that the Heritage Trust is looking at it with General Sir William Jackson and the Tourist Agency and everybody who is involved on the official side to see what we can come up with and what use we can make of it.

HON P R CARUANA:

Mr Speaker, whilst we all value greatly the work done by the Heritage Trust, I think it is incorrect to assume that only the Heritage Trust have an interest, as far as the public interest is concerned, in expressing their views. The Hon Minister knows - and we have debated this in this House before and I do not wish to go into that now - in other places all members of the public including their Environmental and Heritage Societies get a limited period of time - 1 week, 2 weeks, 3 weeks - in which to be able to inspect the proposals and write a letter and make representations and that is all I ask in this case. Will the Hon Members opposite experiment with an opening of the planning process in Gibraltar in the case of this important site by agreeing to make proposals before they are approved, open to the public at large for comment?

HON M A FEETHAM:

What I can do is, since the Heritage Trust are leading on it because in our opinion they do have the support of a wide cross section of the community and different consolation elements within; point this out to them and trust that they themselves may want to come out with something public in due course. I have no quarrel with that. So long as you do not lead me to something else.

MR SPEAKER:

Next question.

30.4.92

NO. 80 OF 1992

ORAL

THE HON LT-COL E M BRITTO

Further to the answer to Question No. 86 of 1991, has Government made a decision concerning the relocation of Police Headquarters and, if so, what is the proposed new location and what will be the future use of the building housing Central Police Station at present?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, the position remains unchanged.

THE HON F VASQUEZ

Will the Government state what its policy is in relation to the location of the Street Market and whether it will be relocated and, if so, when and to where?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, when an appropriate site is identified and after consultation with the stall holders, a decision will be taken.

SUPPLEMENTARY TO QUESTION NO. 81 OF 1992

HON F VASQUEZ:

Mr Speaker, the Hon Minister has had four years now to try and identify an alternative site. In the past various alternative sites have been mentioned. Could the Minister please explain the delay in finding an alternative site? If he does not find it now presumably he is never going to find it.

HON M A FEETHAM:

Mr Speaker, a lot of things which have been happening in the last four years in Gibraltar have restricted the ability to be able to place people in particular areas. If the Hon Member opposite has any suggestions as to where he feels we can place them, since he says that various sites have been identified, I am prepared to look at it. But as I say, we have not finally made a decision where to put the Street Market. When we do, after consultation with them, we will make a decision.

HON P R CARUANA:

Mr Speaker, would I be wrong in suggesting that, in fact, the Government had already decided to relocate the Street Market at the Waterport approach road opposite Watergardens and that the Street Market simply refused to relocate at that site?

HON M A FEETHAM:

Let me also say, in fairness to the interested parties, that the fact that there was so much infrastructure going on at the time in that area was not a very attractive proposition to put to them at the time.

HON P R CARUANA:

Does the Hon Member share the view held by many that the present site of the Street Market is not ideal from the point of view of the aesthetics of the town centre as a whole? Obviously from the point of view of the street marketeers themselves it is ideal, but does the Hon Member agree that it is not ideal from the point of view of town planning and amenities and of things of that kind?

HON M A FEETHAM:

Yes, Sir. I entirely agree with the Hon Member. It is a matter of trying to resolve a problem that somebody else has created and trying to find a different site. I could not agree more with the Hon Member.

HON F VASQUEZ:

Can the Minister confirm, Mr Speaker, that in fact Government is not issuing any new licences for stallholders in that site?

HON M A FEETHAM:

As I understand it (my colleague is not here) I can fairly confidently confirm that that is the case and as you see they are getting less and less.

MR SPEAKER:

Next question.

NO. 82 OF 1992

ORAL

THE HON H CORBY

Will Government say whether a system of Consumer Protection exists and, if so, will it explain how and from where it operates and what has been the average monthly number of complaints received from the public during 1990 and 1991?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

A system of Consumer Protection does exist and has been extended to give effect to EC legislation. It is presently housed at Waterport under the Collector of Customs.

The average monthly figures are as follows:-

1990 - 7

1991 - 5

SUPPLEMENTARY TO QUESTION NO. 82 OF 1992

HON H CORBY:

Mr Speaker, I have myself gone to great lengths to find where the Consumer Protection lies. It is not stated anywhere in the Telephone Directory under Customs. It is a faceless department and, I think, most of the people in Gibraltar do not know from where it operates. Most of them think that it has disappeared completely. Would the Minister make the information available to the general public so that they know that there is a place where people can take their complaints because it is not registered anywhere at all?

HON M A FEETHAM:

Yes, I think that is a fair comment and I will endeavour to do so.

HON P R CARUANA:

Mr Speaker, would the Hon Member agree that there is a distinction between transferring the responsibility to the Customs on the one hand and having an effective Consumer Protection Department on the other? Because the figures for complaints are frankly; the Minister will agree; ridiculous compared to what they used to be when there was a purpose-built Consumer Protection Unit.

HON M A FEETHAM:

One of the problems with Members opposite is that they seem to talk about consumer protection and compare it with the level of complaints that people make. I put it to Members opposite that there is a Consumer Protection system in Gibraltar. It exists through Customs which is protecting the interests of consumers through the Imports and Exports Ordinance. It exists through the Public Health Ordinance whereby members of the public are protected. It exists through financial matters where the Financial Services Commissioner protects the public interest and investors. There is a whole range of consumer protection legislation and enforcement officers in place. Having said that then, what the Hon Member is referring to is people who want to complain about a particular item. But you cannot on the other hand say and give the perception that there is not a Consumer Protection system in Gibraltar. It is far ranging and since we have come into office we have introduced all EEC directives on the matters which were not there before. We have taken care of toys safety so that side of things is going quite well. The Hon Member talks about people who want to complain because they are unhappy about something they may have bought in a shop. They can go down to Customs where there are officers who will deal with the matter. The legislation in place has never changed at all. They have still got the same recourse as before if by friendly persuasion the Customs staff cannot clear the problem. Nothing has been taken away and, although we are looking at improving the system in other respects, that is a matter of policy in due course.

HON P R CARUANA:

Mr Speaker, if you will allow me just one more supplementary. The point that I am making is that it is self evident from the fact that there were only five complaints in 1991.....

HON M A FEETHAM:

Five a month.

HON P R CARUANA:

Yes, five complaints a month. Either there is nothing for consumers to complain about in Gibraltar or it is that the existing regime for consumer protection is not user friendly because there used to be literally hundreds of complaints a month to the old Consumer Protection Unit. This is the information that we have.

HON M A FEETHAM:

Yes, but I have also said to the Hon Member that on the enforcement side there were a whole variety of things that perhaps before were not being enforced so much. We are now meeting EEC directives on a whole range of things. I think now

it is a matter of education. The trade itself, in the last three years, has become very much aware about the responsibilities to the consumer and as a result of the opening of the frontier it is more and more evident that matters are being resolved. People are going to the shops and complaints are being resolved before they are taken to the Customs.

HON P R CARUANA:

Mr Speaker, by way of correction with what I said before, I said hundreds which suggests 200 or more. Our information is, in fact, an average of 120 complaints a month whilst the Consumer Protection Unit was in existence.

HON M A FEETHAM:

I will not go back on the policy we implemented when we did away with the Department as it was set up before. There was an empire built there around one officer that was costing us about £180,000 a year just to look after those complaints that the Hon Member is talking about. It is a question of moving resources and how we spend resources. What we have done is concentrate on legislation. We have concentrated on EEC directives ensuring that the Departments do their job. That has taken away an awful lot of pressure as regards the complaints handled in the Customs Department under the Consumer Officer who is down there. I take the point that we ought to have perhaps more signposting in different places. I will look at that. I think it is a very valid point and as a result of that we may be able to monitor. Next time I am asked the question there may be a further increase and as the increases go we may have to have more resources but not at the moment, Mr Speaker.

HON H CORBY:

Mr Speaker, I have the Hansard for 26th March, 1991, in which the Hon Minister talked about this and I am going to ask him if there has been any development in the small claims court that he wanted to develop in conjunction with the Consumer Protection Unit?

HON M A FEETHAM:

Mr Speaker, in looking at the small claims court principle we have consulted and sought advice from the Foreign Office. That advice has come back and we are now looking at what we can do as regards the drafting of legislation and so on. As I have said, it is the next stage in trying to, at least, give people a recourse that they did not have before, if the complaints fall through.

HON P R CARUANA:

Mr Speaker, will the Hon Minister accept that, although I am certain that they have been extremely efficient at saving money in the steps that they have taken with the abolition of the old Consumer Protection Unit, the reality of it is that the consumer in Gibraltar now feels much less protected than they used to before?

HON M A FEETHAM:

Excuse me, Mr Speaker, that may be his perception. The point that I am making.....

HON H CORBY:

The word has stuck.

HON M A FEETHAM:

Yes, of course, because that is the perception you are continuing to create. You talk about things and you never come in with any evidence whatsoever. As far as I am concerned, the proof of the pudding is in the eating. We have brought in major legislation and directives on consumer protection. Everything is now up-to-date. We have improved on that score. What we are saying is that none of the existing legislation has been touched so people can have recourse. We have not touched any of that. We may have got rid of bodies that were costing too much money and writing too many letters and doing nothing at the end of the day. We may have done that and you may think that that is a mistake but we do not think so. What we are saying is that the next stage of evolution of consumer protection is that we are looking at a small courts procedure so that if somebody complains to the Customs and by friendly persuasion the matter cannot be resolved, at least we are going to provide a machinery that will expedite the nature of the complaint and come to a decision. What is happening now is that if somebody wants to take it to the next stage he has to go to a lawyer, then the Magistrates' Court and it never ever gets heard. At least give us credit that if we do go and introduce a small courts procedure it is a hell of a step forward in the policy of consumer protection.

HON P R CARUANA:

Mr Speaker, I try not to be ungenerous in these things but if the Hon Member oppsite actually expects us to congratulate them on their achievements on the matter of consumer protection I regret to say that, in this case, I cannot accede to his request. It is self evident, is it not, that there is grave discontent in this community about the extent of cover that exists on consumer protection? Will the Hon Minister accept that having accused me of coming to this House without evidence, not that it is a Court of Law but still, that that is not the case? I have said that there is evidence. It is

self-evident in the figures. The Minister says that there were five complaints per month during 1991 and I tell you, although I have seen heads shaking on the other side, that our information is that until the abolition of the Consumer Protection Unit it used to be 120 a month. It is self-evident that the difference between 120 and 5 is 115 and that therefore there are either no complaints or people do not think that they have got anywhere that they can go and complain to.

HON H CORBY:

Mr Speaker, will the Hon Minister be so kind as to give me the EEC directives and also would it be possible for the Minister to relocate the office to a central point in town, if possible?

HON M A FEETHAM:

In the light of what we are doing about possible legislation, those are the things that we are likely to be looking at. And I said very clearly at the beginning that it was not going to be a permanent place. We were just moving out of a particular area as a result of shifting resources around and it was not going to be the final objective to leave them down there.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

What are the principal terms of Government's contractual arrangements with Land Property Services Co Ltd for the collection of Crown rents and the provision of other estate management services and will Government make the contract public?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, as I have already stated in the House at the time the agreement was signed, the contract will not be made public.

HON P R CARUANA:

Mr Speaker, will the Honourable Member agree that the same considerations of the need for secrecy, as were used as the answer when we were discussing the privatisation of public utilities, cannot possibly apply to the privatisation of a Government function basically by farming-off the activity to a company formed by the ex-civil servants themselves. I put it to the Honourable Minister opposite that the only reason why he will not give the answer is that he does not want it in the public domain and there is no commercial sensitivity here.

HON M A FEETHAM:

No, Mr Speaker. We have discussed it. I do not know how many times the Honourable Members opposite want to raise it. Presumably everytime there is a new member he has got a right to raise something which has been done two or three years ago, two years ago at least. This, as you quite rightly say, is not a question about assets being privatised or commercialised. This is about a section of Crown Lands, a section of my department that came to the Government and said "We would like to carry out our functions commercially because as well as carrying out our functions commercially as a result of the growth in property management in Gibraltar as result of developments and investments we will be able to fill a vacuum there and therefore not have people coming from outside doing property management in Gibraltar. It gives us an opportunity to compete in the private market which we cannot do now." As a result of that which was in-keeping with Government policy of commercialised departments, we went ahead and commercialised on terms which we feel are competitive and in line with established principles in Gibraltar and within the cost agreed that was there at the time.

HON P R CARUANA:

Mr Speaker, I take it that there is some commission payment arrangement whereby in exchange for collecting rents on behalf of the Crown, this company, quite understandably, gets a commission and I say why should not the public know what that commission is. What is the need to jealously guard that as secret?

HON M A FEETHAM:

Not jealously guard. I am sensitive to commercial arrangements which have been reached and in the interests of the company itself, I do not think that those matters should be divulged.

HON P R CARUANA:

Mr Speaker, either the Government is paying this company, which I doubt, more than the usual going rate, in which case I think I have the right to know, or it is paying less, in which case whose interests are you protecting?

HON M A FEETHAM:

As far as we are concerned, Mr Speaker, as a matter of principle, I have already said and you can carry on asking, that we are not prepared to disclose it. It is within the cost that we had in running the department at the time. In fact, we did make a number of savings as a result of commercialisation as far as Crown Lands is concerned and that is our decision.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Does Government intend to permanently pedestrianise Main Street and/or any other City centre streets and, if so, when will this happen?

ANSWER

Mr Speaker, there are no intentions to permanently pedestrianise Main Street and/or any other City centre streets at the present time. Any such decision is reviewed periodically from a trade and traffic point of view.

HON LT-COL E M BRITTO:

Mr Speaker, will the Honourable Minister confirm that he said publicly some time ago that he had a store of tiles already lined up in order to pedestrianise Main Street and if so, has it been used somewhere else?

HON J C PEREZ:

Mr Speaker, if the Honourable Member recalls the question of tiles adequately, it was not what we were going to do with them. When the road section used to be part of my responsibility, tiles were ordered and chosen by the then President of the Chamber of Commerce to replace the tiles on the pavements along the north end of Main Street. When the coup d'etat in the Chamber of Commerce removed the former Honourable Member of LegCo, Mr Serruya, and Mr Gaggero became President of the Chamber of Commerce, it coincided that the section came under my colleague Mr Feetham and at the request of the Chamber of Commerce, because they did not want the works to interfere with the tourist season during the summer, they were delayed for about six months and they were going to be scheduled to start in January of the following year. Then as a result of representations made by members of the Chamber of Commerce including the Honourable Member opposite, Mr Vasquez, who was then a director of the Chamber, there were efforts made to try and get the trade to contribute towards a full pedestrianisation of Main Street and the Government were prepared to delay the works on the tiling to see whether any substantial contribution could be made by the trade. We were able to look at the whole pedestrianisation of the area with the removal of the pavements rather than only re-tiling the pavements as such. Since that proved unsuccessful because traders in Main Street were reluctant to contribute we now come back to square one where we have got the tiles; we are ready to repave the pavements but it does not seem that traders would like us to proceed during this summer season so we might yet have to delay further until after the Christmas period to the soft months of January, February and March. So we might have to wait until next January to be able

to proceed with the retiling of the pavements of the northern end of Main Street, which was what was scheduled in 1989/90 but we got onto the hands of the Chamber and everything started to be delayed.

MR SPEAKER:

Next question.

THE HON P CUMMING

Mr Speaker, is the Government satisfied that an adequate standard of safety towards the general public is maintained at building sites and road works adjacent to the public highway?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, standards of safety are constantly monitored by the Safety Officer's Section. Any deficiencies detected are immediately actioned.

HON P CUMMING:

Mr Speaker, does the Minister agree that the great number of road works and building sites close to the road that are going on simultaneously has a cumulative effect of lowering the safety standards and what is now needed are more resources dedicated towards safety measures?

HON M A FEETHAM:

Mr Speaker, as I say, when developments take place and when the infrastructural works takes place, the Safety Officer and the developers who are responsible for the infrastructural works get together and decide what needs to be done in order to protect the safety of passers-by and as far as I am concerned that continues to be the situation. I am told that our people are satisfied, that that is being done.

HON P CUMMING:

Mr Speaker, is the Minister saying that there is one Safety Officer?

HON M A FEETHAM:

There are two in the section and we are looking at improving that section at the moment.

HON P CUMMING:

Mr Speaker, could the Minister tell us how complaints are dealt with?

HON M A FEETHAM:

If there are any complaints or anybody points out anything which is unsafe or is detected to be so by any member of the public or the department, the matter is then dealt with by the Safety Officer through the people who are responsible and they have to make good whatever is at fault.

HON P CUMMING:

Who should I direct my complaints to?

HON M A FEETHAM:

To the Safety Officer in the Department of Trade and Industry.

HON P R CARUANA:

Mr Speaker, will the Honourable Minister accept that it is inherently dangerous that the public should be passing freely underneath a building site or underneath a scaffolding that is being worked on. We do not have to wait for accidents to happen to know that certain events, certain practices are inherently unsafe. For example, if there is a road work in Irish Town - and I say Irish Town because I pass there frequently, and there are building works in Irish Town and there are scaffoldings up the walls of some buildings and there are men working up, erecting the scaffolding, handling nuts and bolts or whatever it is you fit it with - and there are people walking immediately below that scaffolding, all that is required is for a man to drop something, his screw driver or his bolt or his pole or his hammer and it will fall on whoever happens to be passing underneath and that that is inherently an unsafe practice.

HON M A FEETHAM:

I am not a professional in the field. We have people employed and construction companies by law have to have Safety Officers in place and it is really up to those people and the authorities concerned to ensure that the public are protected. Short of closing down Irish Town and not allowing any movement at all, which maybe something that could be looked at, I do not know what the traders would think about that, but short of that, I do not think we can do anything else, so long as I am advised. Remember that I do not take political responsibilities for matters which are taken by people who are employed to do a particular job. I take advise. My advise is that they are reasonably contented and if there are any deficiencies those deficiencies are looked at and I have already said to the Member opposite that we are, in fact, looking at this section in particular to see in what way we can actually improve upon it.

HON P R CARUANA:

Mr Speaker, I would ask the Honourable Minister to accept that in Gibraltar, pedestrians are protected more by the grace of God than they are by any efficient

application of any safety regulations in respect of accidents of the kind that I have described. Happily the grace of God has been very effective up to now but it is literally fortuitous whether or not something falls from the building site.

HON M A FEETHAM:

No. No. I will go further than that. I know that somebody up there that loves us so much that he constantly gets us out of many, many problems that we have in a very wide range of matters. I think that we are blessed in many respects.

ORAL

NO. 86 OF 1992

30 4 92

THE HON M RAMAGGE

Mr Speaker, how much will the so-called 50/50 scheme cost the Government in respect of the Brympton project if all buyers opt for it on a 50/50 basis?

ANSWER

THE HON THE MINISTER FOR HOUSING

Answered together with Question No.87 of 1992.

THE HON M RAMAGGE

Mr Speaker, how much will the so-called 50/50 Scheme cost the Government in respect of the Westside project if every purchaser in Westside who has not yet completed opts for the Scheme on a 50/50 basis?

ANSWERTHE HON THE MINISTER FOR HOUSING

Mr Speaker, the estimated level of investment in both projects on the assumption that all purchasers opt for the 50/50 scheme is of the order of £28m.

NO. 88 OF 1992

THE HON M RAMAGGE

Mr Speaker, how many of the flats at Elliott's Battery were offered to residents of North Gorge and how many such residents have taken up the offer?

ANSWER

THE HON THE MINISTER FOR HOUSING

Mr Speaker, sixteen offers were made to residents of North Gorge and fourteen took up the offer.

HON M RAMAGGE:

Will the Honourable Minister please tell me why in view of the dilapidated state of North Gorge and the living conditions which adhere there, not more tenants have taken up the offer to be reallocated.

HON J L BALDACHINO:

Mr Speaker, offers were made to those tenants living there to whom the Government gave a commitment in 1988 that they would be rehoused in other estates and therefore the first offers were made to those tenants and even though there are other tenants living in North Gorge, many of them had already been decanted after 1988 when we came into office. What we have done is that rather than leave those that were left vacant, vacant and get squatters, we have lent them to some of the purchasers of either Westside or Brympton.

HON M RAMAGGE:

Will the Minister not agree with me that the living conditions at North Gorge are not very desirable and that the utmost effort should be made to rehouse everybody there?

HON J L BALDACHINO:

Yes, and that is the policy of the Government and I totally agree with him, Mr Speaker. If he were to look at Hansard, when I was in that side of the House, I said that people in North Gorge should be decanted and we have taken that responsibility. We have decanted ten tenants prior to the those allocated in Elliott's Battery. The process is that on tenants going to Elliott's Battery, the houses that will become vacant will then be offered to the others who did not apply for Elliott's Battery and to the two who did not take the offer.

HON M RAMAGGE:

I thank you for your answer and I look forward to seeing the North Gorge flattened in the near future.

HON J L BALDACHINO:

I have to bring to the notice of the Honourable Member that that is my policy and the policy of the GSLP, even though once we move those residents who are there we might still need to use that to allocate to people who will be buying in Westside because otherwise if we leave it vacant we will get squatters and then it will be very difficult to flatten it out like the Honourable Member suggests.

NO. 89 OF 1992

30 4 92

THE HON M RAMAGGE

Mr Speaker, have all the houses at Elliott's Battery been allocated and what in general terms are the main conditions of the leases?

ANSWER

THE HON THE MINISTER FOR HOUSING

Mr Speaker, all the flats at Elliott's Battery have now been allocated. The general terms are on the basis of 20 year self repairing leases which provide the standard conditions already in existence on such types of leases.

HON M RAMAGGE:

Thank you, Mr Speaker.

THE HON M RAMAGGE

Mr Speaker, will Government say whether it is its policy to allocate ex-MOD houses as soon as possible and, if so, will Government explain the delay in allocating the units at Transport Lane and Rock WST Station?

ANSWERTHE HON THE MINISTER FOR HOUSING

Mr Speaker, yes Sir. It is the policy to allocate as soon as possible.

HON M RAMAGGE:

What has been the delay in the allocation of these two Sir.

HON J L BALDACHINO:

Because as my Honourable colleague and friend the Minister for Trade and Industry said in a previous question Transport Lane and the Rock WST Station have recently been transferred. Before the transfer we had to carry out a survey to ensure that they were in good structural condition and now that we are satisfied we will start the allocation of those dwellings.

HON M RAMAGGE:

Is it not correct to say that during the time that you had been trying to check whether the buildings were structurally sound, the places had been vandalised and probably gutted out and it is now more expensive to put right than had you done the survey with probably tenants living in there?

HON J L BALDACHINO:

No, Mr Speaker. I would agree on the first part of the Honourable Member's question and that is that the places have been vandalised up to a certain extent and therefore it might be that there is an additional cost for the repair of the houses now but in view of the level of the structural survey that we had to carry out it could have been unwise, in my opinion, to have allocated them before carrying out that survey.

HON M RAMAGGE:

Thank you.

HON F VASQUEZ:

Mr Speaker, could the Honourable the Minister for Housing tell the House when the properties at Transport House were handed over by the MOD to the local Government?

HON M A FEETHAM:

I cannot remember the date exactly but I would say in the last six or seven months officially.

HON F VASQUEZ:

It is our understanding, Mr Speaker, that they were handed over at least six months ago.

HON M A FEETHAM:

Yes, but one of the things that the Member opposite must understand is that in accepting handing-over of properties, whilst the MOD have insisted in handing them over, I have insisted in not officially signing the document of handing-over until I am satisfied that those properties, as handed over to us are structurally sound enough for us to allocate because what is being said in various official circles is that the Government of Gibraltar is getting an awful lot of land and an awful lot of properties. We are getting, with respect, an awful lot of junk handed over to us that should have been maintained years ago and kept structurally in reasonably condition. What we have been handed over, in respect of 60% of what we are getting, is a huge maintenance bill. Really, at the end of the day, it is a demolition bill. So what I want is a record of everything that I am handed over so that if at any time in the future we have to show anybody what the British Government is handing over to the people of Gibraltar, I would have a properly documented record about all the properties. That has to be done for obvious reasons which I do not want to go into at a public debate at this point in time.

HON F VASQUEZ:

Mr Speaker, can the Honourable Minister either for Housing or for Trade and Industry reassure this side of the House that it is this Government's intention to use those houses at Transport Lane for housing or is it possibly that they will be redeveloped for other uses?

HON M A FEETHAM:

No, I can say that those houses will now be allocated and my colleague has already said they will now be allocated for housing.

HON L F FRANCIS:

Mr Speaker, will the Honourable Minister for Housing please take note of the vandalism that is taking place, not only in some housing properties handed over by the MOD, but also in the sporting facilities which we were talking about this morning. Is there no way that properties handed over will be protected in the future so that we do not get a recurrence of this problem?

HON J L BALDACHINO:

I am grateful to the Honourable Member for asking this question because he gives me the opportunity to tell them that, especially in Transport Lane, even before the official transfer was made to my Honourable colleague, my department boarded them up. It did not work and they have been boarded up at least three times but it does not work. It is just that people do go in and vandalise. Unless you have somebody there permanently looking after the property; and in many cases that does not even work; it is difficult to keep track.

THE HON M RAMAGGE

Mr Speaker, what was the starting date of the improvement works to the balconies and exterior of MacMillan House, Tank Ramp and what has been the total cost to date of these works?

ANSWERTHE HON THE MINISTER FOR HOUSING

Mr Speaker, improvement works to the balconies and exterior of MacMillan House started on 1 August 1990. The total cost to date is £209,000.

HON M RAMAGGE:

Does not the Minister think that it is unduly long to repair that House and also unduly expensive?

HON J L BALDACHINO:

I am sure that if I explain to the Honourable Member because of his profession he can understand it better than the other Members on that side. The balconies at MacMillan House were suspended balconies and when we tried to repair them we had to do a different type of balcony construction which needed foundations. When we tried to do the foundations we hit solid rock and therefore that delayed us and was more expensive. Apart from that, the tenants in MacMillan House had used the balconies as an extended additional part of the kitchen and therefore they had electrical and other appliances inside those balconies which we had to reprovide into the original kitchen. We tried to bring down expenses by doing the concrete on site because it is a very difficult site to take 'ready-mixed' vehicles to. When the test was done on the concrete it failed and therefore we had to remove it because the structural engineer was not convinced. Then we had to buy from Readymix but manhandle the concrete in vehicles to take it up there. We have encountered certain problems like that but we had to repair the balconies. The cost has proved to be higher and we have had many delays. The existing balconies had to be removed and we had no option but to carry on.

HON M RAMAGGE:

I agree with the Hon Minister's explanation as to the cost and the difficulty of the site, but I still maintain that perhaps the job is taking too long. Two years to build a number of balconies is a bit too long even in that area which is, I agree, a very difficult site.

HON J L BALDACHINO:

No. No. The work that has been done in MacMillan House is not only to the balconies. We have done certain other repairs to the building itself during that period. For example, the gutters which run through the balconies had to be removed. That did not coincide with the manhole cover. The manhole cover had to be moved. We have done certain repairs to the roof and in a couple of weeks, we are starting to paint the building. So there has been work done to the building apart from the balconies, to prepare it for painting. So it is not correct to think that the money and the time that has been spent up there is just on the balconies.

HON M RAMAGGE:

Thank you very much.

30.4.92

NO. 92 OF 1992

ORAL

THE HON F VASQUEZ

What is Government's strategy for the tourist industry in Gibraltar?

ANSWER

THE HON THE MINISTER FOR TOURISM

Answered together with Question No. 93 of 1992.

THE HON F VASQUEZ

Given the practically non-existent nature of the overnight and long-stay holiday tourist industry in Gibraltar, what strategy does the Government have for this sector of the tourist industry in Gibraltar and how does it intend to implement that strategy?

ANSWERTHE HON THE MINISTER FOR TOURISM

Mr Speaker, the Government's strategy for the tourist industry has been explained by me in this House since inception in late 1988. This medium to long-term policy has not changed and is aimed at converting Gibraltar into a high profile destination which provides an upmarket base from which to visit or link up with the nearby countries or regions. The overnight market produces the basis for tourist industry in Gibraltar but tourism in its global definition is also concerned with the day excursionist market which provides a substantial basis for commerce in Gibraltar. Within the limited resources available to this sector of Government responsibilities, the Government has been able to tackle the three areas which form the basis of this policy, ie improvement of the product, international marketing and public relations.

During 1990 and 1991 and as a result of the Gulf crisis in the first instance, which caused the downfall of Air Europe and Intasun, and the general worldwide recession which has affected the United Kingdom in particular, many destinations have suffered from decreasing number of tourists. This affected Gibraltar at a time in its growth as a different tourist destination when we had relied on the volume business provided by the major tour operators and were concentrating in attracting the more discerning client prepared to pay more to visit Gibraltar. Intasun's collapse precipitated this even more since some of the hotels were still dependent on this market.

During 1991 and the early part of this year, the Government, has in close consultation with the industry, sought to redress the situation in the short-term, by attracting to Gibraltar major players in the tour operator field and at the same time helping those established already.

I must stress that the Government continues to believe that the only way forward for tourism is in creating a more upmarket destination in keeping to Gibraltar's expanding prestige as an international finance centre.

SUPPLEMENTARY TO QUESTION NOS. 92 AND 93 OF 1992

HON F VASQUEZ:

Mr Speaker, I am delighted to hear again the usual reassurances that my predecessor on this side of the House, Mr Mascarenhas, who used to shadow tourism, used to receive meeting after meeting from the Hon Minister for Tourism. Does the Minister accept that this so-called policy of trying to make Gibraltar a more upmarket destination has been singularly unsuccessful and that due to the Government's total lack of activity in the field of tourism the hotel industry in Gibraltar faces a crisis unprecedented in its history and is facing occupancy levels never before seen of approximately 35%, as we understand, at current levels? Will the Minister accept that to blame the Gulf crisis, has he has, time and time again over the last twelve months is now beginning to wear a little thin?

HON J E PILCHER:

No, Sir, to the first part; no, Sir, to the second part; and no, Sir, to the third part of that statement.

HON F VASQUEZ:

Is the Hon Minister for Tourism telling this House, Mr Speaker, that he is satisfied with the present levels of occupancy and that he attaches no responsibility to himself for the present state of the industry in Gibraltar?

HON J E PILCHER:

No, Sir, to the first part. The Minister obviously is not satisfied with the hotel occupancy, the Minister has explained in his answer the reasons which I believe and which the industry believes are part of the problems facing Gibraltar, Mr Speaker, and obviously, as I have mentioned, over the last six months we have already, with the people concerned, tried to put short-term mechanisms in play to bring volume back. This is something that the hotel industry needs in the short-term and we have done this successfully over the last nine months.

HON F VASQUEZ:

Will the Minister make up his mind as to whether the policy, which is all we are trying to determine by these questions, Mr Speaker, what is the policy? Is it a short-term policy to try and attract low cost holidaymakers or is it a long-term policy to attract the upmarket tourist that the Hon Member has mentioned time and again?

HON J E PILCHER:

Mr Speaker, perhaps I can read the whole answer again. If it is helpful I will. The medium to long-term policy remains the same. The short-term policy, as a result of the Gulf crisis and as a result of recession particularly in the UK, is to try in the short-term to attract some volume through major tour operators to try and keep the hotels bouyant whilst we continue on the medium to long-term policy. It is quite simple, Mr Speaker. I do not expect the Hon Member to agree but what I have said is quite simple and straightforward.

HON F VASQUEZ:

Could the Hon Member explain the results to date of the short-term policy to attract the high volume low cost holidaymaker?

HON J E PILCHER:

Yes, Mr Speaker, I can and if the Hon Member opposite looked at all the operators that we have attracted over the last nine months - Travel Scene, Cosmos, Crestas, Ultimate Holidays, Thomas Cook, we have attracted which are now featuring Gibraltar. Some started in winter, some are starting in April and, obviously, we hope that this will bring volume back, Mr Speaker. So we have been successful, not directly ourselves but directly with the industry. Also through the UK Gibraltar Tourism Association we also have helped the local trade and helped to create another brochure for the people established in Gibraltar, like Cadogan, Gibraltar Travel in order to try and generate their market as well. So we have been doing various things in the short-term that does not affect our medium to long-term plans, Mr Speaker.

MR SPEAKER:

Next question.

NO. 94 OF 1992

ORAL

THE HON F VASQUEZ

How much money does Government intend to allocate to the promotion in the United Kingdom of tourism, in Gibraltar for the summer season of 1992 and the winter season 1992/93? When will this money be allocated and what company will be retained to carry out the marketing exercise?

ANSWERTHE HON THE MINISTER FOR TOURISM

Mr Speaker, the money that it is intended to allocate is included in the Estimates for the current financial year and when the Estimates are discussed, an explanation will be given.

SUPPLEMENTARY TO QUESTION NO. 94 OF 1992

HON F VASQUEZ:

Since the Minister is not prepared to give me, as it were, a little résumé and a foretaste of what is in the Estimates and actually having received them only this morning I have not been able to study them yet. Could I remind the Minister that he has been quoted in the past as saying that his Government is the one that has spent most in marketing Gibraltar in the past and he has also claimed that the UK Association of Gibraltar Travel Agents has had nothing but praise for the way that the Government has gone about the business of promoting Gibraltar in the United Kingdom and in the light of that, and I have the relevant quotes from Hansard, the Hon Minister quoted on 26th March last year: "with the Association of UK Travel Agents and they have had nothing but praise about what we are trying to do here". I would like to quote certain statements made by the Chairman of the UK and Gibraltar Tourism Association to the Gibraltar Chronicle on the 11th April where he is quoted as saying: "I believe that due to the lack of all the necessary promotional activities in the UK to stimulate tourism to Gibraltar it falls far behind its competitors. That although the Gibraltar Information Bureau have now been given the role of promoting the destination, the fact that they still have no budget for the forthcoming promotional activities, meant that they had once again missed the boat. Whilst other Tourist Offices completed their summer activities at the end of March, Gibraltar is unlikely to start their summer campaign until at least May or early June this most definitely is far too late and it will be money thrown away. I emphasise that if tourism takes a nose dive this summer or next winter, the Information Bureau will be held in

the main responsible for this". And he carries on: "I do not know who is to blame but I have never experienced a situation where the world stops and tourism dies for months because nobody can make a decision on a budget which has major bearings for many people. Tourism benefits hotel trade, restaurants, shops, taxis and helps employment. Without a budget all this is being neglected". Will the Minister accept that if he is waiting for the allocation of funds to spend on the marketing of Gibraltar for the summer 1992 and winter 1992/93 season, it is far too late? He has already missed the boat. These are not my words, they are the words of the professional, ie the Chairman of the Gibraltar/UK Tourism Association and he is the one that is saying it. What is the Hon Minister's comment on that?

HON J E PILCHER:

Mr Speaker, I do not really know what all that has to do with the question. Let me say it is a long statement and it is difficult for me, at Question Time, as opposed to a debate because I do not take notes of what Hon Members are saying. However let me say in the first instance that the article in the Chronicle, I think it was Golt In Print, in fact, is something that I have taken up with the UK/Gibraltar Tourism Association because I do not believe that what the Hon Member has quoted is a reflection of what the UK/Gibraltar Tourism Association believes. Hopefully by the time that we discuss the Estimates we will have a situation where I can shed light on those statements which run totally contrary, Mr Speaker, to everything that I have been told by the UK/GTA. If the Hon Member has bothered to read the whole article then he must have found out that it does say in the article that I have virtually joined them at every single meeting. As I say, Mr Speaker, the article does not reflect the feedback that I am getting. So I am in the process of clearing up the matter with the UK/GTA and then I will be replying to the Hon Member. That article, Mr Speaker, is fraught with lies and innuendos and I can tell the House that in one of those paragraphs I think it says, I do not have it in front of me, it says that the UK/GTA has spent £26,000 in promoting Gibraltar. However, Mr Speaker, what it does not say is that the Government has also spent £13,000 out of the £26,000 because we had an agreement with the UK/GTA that we would back them up pound for pound. So out of those £26,000, £13,000 has come directly from the Tourism Agency. Not the Government but the Tourism Agency who was marketing that. I am prepared, Mr Speaker, to answer every single one of those points in that article. However, before I do so I want to clear my lines of communication with the UK/GTA.

MR SPEAKER:

I cannot allow this to develop into a debate. I think we have aired the question sufficiently now. Hon Members will have another opportunity at Estimates time. Next question.

NO. 95 OF 1992

ORAL

THE HON F VASQUEZ

How much money has Government spent on promoting tourism in the financial years to the 31st March, 1991, and 31st March, 1992?

ANSWERTHE HON THE MINISTER FOR TOURISM

Mr Speaker, since 1989 the Tourism Agency has been responsible for the expenditure in relation to tourist promotion and therefore, strictly speaking, the answer to the question should be zero expenditure in the two financial years by the Government. However, the Hon Member opposite must be asking for the marketing expenditure by the Tourism Agency during those two financial years.

The figure of the amount expended by the Agency in the year ended 31st March, 1991, was £485,000. We estimate that the expenditure for the year ended 31st March, 1992, will be in the region of £380,000. The accounts have not been audited and the final figures are not yet available.

SUPPLEMENTARY TO QUESTION NO. 95 OF 1992

HON F VASQUEZ:

I see, Mr Speaker, that the Hon Minister has given me the figures for the amount spent by the Agency. The question is "How much has been spent promoting tourism?" We have heard time and again that the Agency is responsible for the payment of all sorts of costs. For the flying of Ministers hither and thither to the Far East etc. What I want to know, Mr Speaker, and I would be grateful if the Hon Minister could answer the question, is how much has been spent not by the Agency but actually in promoting Gibraltar as a tourist resort?

HON J E PILCHER:

I missed that bit about the Agency spending money flying me to the Far East? Can the Hon Member repeat the question, Mr Speaker?

HON F VASQUEZ:

Mr Speaker, the Minister has told me the expenditure of the Agency, that is one thing. I want to know how much the Agency has spent on promoting tourism in Gibraltar, actually on promoting campaigns, on advertising campaigns, etc.

HON J E PILCHER:

Well, I missed the part about flights to the Far East. Mr Speaker, that is again another of the innuendos which are so typical of the Opposition and to which my Hon friend and colleague Mr Juan Carlos Perez has referred to.

HON F VASQUEZ:

It is not an innuendo. It is a question, Mr Speaker.

HON J E PILCHER:

Mr Speaker, first of all, when I read the question it showed, firstly that obviously Mr Vasquez had not done his homework because in 1988/89 I explained the policy of marketing tourism and how the Agency was going to be responsible for that. Therefore when I read the question I said to myself the Government has not spent any money because I explained quite clearly and in detail, in the House, in late 1988/89 how we were going to be handling that. Secondly, Mr Speaker, if the answer had been "How much money has the Agency spent in promoting tourism?", the answer would have been "£1.9m" because everything that the Agency does is done to promote tourism. The essence of the Tourism Agency is, in fact, to promote tourism. If I repair St Michael's Cave then obviously I am promoting tourism because I am doing something to improve the product in order to market it better. The marketing budget which is what I have answered in the hope of helping the Member opposite is the budget which is purely what he terms "promotion", ie all costs for advertising, brochures in the UK, that is the marketing budget and the marketing budget, as I said, ending 31st March, 1991, was £485,000 and ending 31st March, 1992, £380,000.

HON P R CARUANA:

Mr Speaker, the Hon Minister has heard the views of the expert that my colleague quoted from that article in answer to a previous question. Given that his colleague has spent much of today claiming that they are so advised by experts and who are they to doubt the words of experts, has he noticed that he is the only Minister today who has expressed a desire or a willingness to disagree with the view of an expert?

HON J E PILCHER:

Mr Speaker, first of all, I have in fact in a previous answer mentioned the fact that I do pay a lot of attention to what experts say. In answer to question on traffic I said that as far as I am concerned the public service vehicles and the Taxi Association.....

HON P R CARUANA:

Mr Speaker, but let not the Hon Minister misunderstand me, I am saying that the Hon Member ought to be congratulated.....

HON J E PILCHER:

What I am saying is that the follow-up to that, Mr Speaker, is that obviously there are other experts, other professionals in the field and I listen to every single professional in the field. What I then do is look at what vested interests that professional in the field has when he advises me, Mr Speaker. Mr Gary David apart from being the Chairman of the UK/GTA is also Managing Director of an operator and he also has certain vested interests. I have not said that I disagree with him at this stage. What I said was that the article was fraught with innuendos and lies. I said to the Hon Member opposite that I will personally check with the UK/GTA to find out whether the Association believes what their Chairman of has said in that article. Once I have done that I will inform the Hon Member when we debate the Estimates. I am prepared to answer every single point raised in that article, Mr Speaker.

MR SPEAKER:

We cannot revive that subject again. We must wait for the Estimates. Next question.

NO. 96 OF 1992

ORAL

THE HON F VASQUEZ

What steps has the Government taken to attract tourist traffic to Gibraltar during Expo '92 in Seville?

ANSWERTHE HON THE MINISTER FOR TOURISM

Mr Speaker, the Government intends to build on the success of last year's advertising campaign and repeat the exercise particularly targetted at the Seville area in order to attract tourist traffic during Expo '92.

SUPPLEMENTARY TO QUESTION NO. 96 OF 1992

HON P R CARUANA:

We will see how successful your targetting is but in principle what you have announced is what you should have been doing.

HON J E PILCHER:

He has just killed his supplementary.

MR SPEAKER:

Next question.

NO. 97 OF 1992

ORAL

THE HON F VASQUEZ

Will Government make a statement of policy in respect of the future, if any, of the Gibraltar Tourism Agency?

ANSWERTHE HON THE MINISTER FOR TOURISM

Mr Speaker, in April this year, as stated in our election manifesto, the Government has passed the international marketing responsibility to the Gibraltar Information Bureau. As a consequence of this the Tourism Agency is looking at all aspects of its business with a view of utilising better its manpower and the achievement of its commitments.

SUPPLEMENTARY TO QUESTION NO. 97 OF 1992

HON F VASQUEZ:

Mr Speaker, could the Minister then confirm, just to be absolutely clear about this, that in future, as of whenever this arrangement was made, the Gibraltar Tourism Agency is not going to be involved at all in the marketing of Gibraltar as a tourist resort?

HON J E PILCHER:

Yes, Mr Speaker, that is why the answer to Question No. 94 is different to the answer to Question No. 95 because up to the 31st March, 1992, the Agency was responsible for it, and after that date the Gibraltar Information Bureau became responsible for it.

MR SPEAKER:

Next question.

NO. 98 OF 1992

ORAL

THE HON F VASQUEZ

In the light of Government's much heralded announcements in the past in relation to the creation of a specialist Ape Park on the Upper Rock, will Government explain its decision to discontinue its contract with Medambios for the running of the Park after only one year?

ANSWERTHE HON THE MINISTER FOR TOURISM

Mr Speaker, at the time of the decision to give Medambios the contract for the running of the Ape Park, this site was an independent site for the purposes of both management and entrance fees. With the creation of the Nature Reserve, the resources needed to manage and upkeep this integrated site were reviewed and the Tourism Agency decided that 'in-house' management with outside professional support was the most efficient and cost effective system.

SUPPLEMENTARY TO QUESTION NO. 98 OF 1992

HON F VASQUEZ:

Mr Speaker, I would just like to know, if the Minister can confirm, that when the whole idea of the Ape Park was mooted and announced, just over a year ago, the whole thrust of the statements made by the Minister was that at last we had a proper professional concerned expert individual looking after the apes in the Apes Den. What future, obviously now that it is accepted by this side of the House, Mr Speaker, that money has been spent on the Apes Den and it is all looking very smart, but what arrangements has Government now made to look after the wellbeing and protection of those ape packs on the Upper Rock without the presence of the very individual who this time last year was being heralded, as it were, as the saviour of the packs?

HON J E PILCHER:

Mr Speaker, I think the Hon Member opposite has to differentiate between two things. One is the running of the site, ie the cleaning, control, monitoring and, I think, the second part, the professional advice which goes towards the welfare, husbandry, efficient management and control of the apes. Those are two different things. What I said in my answer is that the first part of that will be taken care of inhouse by the Tourism Agency. The second part, the expert advice on things like welfare, husbandry, the medical side, for that we are bringing outside professional support to advise us in this area.

HON F VASQUEZ:

Mr Speaker, does not the Hon Minister regret that having had a Gibraltarian brought back to Gibraltar, especially to fulfil the very role he has just outlined, that we should lose an individual with that sort of talent to fall back again on outside expert advice as yet undefined?

HON J E PILCHER:

Mr Speaker, when I am talking about outside professional support I am talking outside the Agency and not outside Gibraltar. We will continue to have professional support from within Gibraltar.

HON P R CARUANA:

Mr Speaker, given that I understand that there is a contract with this organisation, is it likely to cost the public funds anything to terminate that arrangement?

HON J E PILCHER:

No, Sir.

HON F VASQUEZ:

Mr Speaker, could the Minister please identify exactly from where within the community this expert and care for the apes is going to be found?

HON J E PILCHER:

I prefer at this stage not to have to do that. I can tell the Hon Member that, for example, the veterinary support is coming from the inhouse local veterinarian that we now have.

HON F VASQUEZ:

From the RSPCA?

HON J E PILCHER:

Yes, from the RSPCA. The professional advise at this stage is not something that I am absolutely sure of but we have various mechanisms which we can use and all those are inhouse, ie inhouse Gibraltar and not outside professional advise.

HON F VASQUEZ:

If I may be allowed to persevere, Mr Speaker. But are these not the very bodies and the very individuals that only a year ago were being highlighted as actually insufficient to carry out the service that was properly required for the protection and maintenance of the apes?

HON J E PILCHER:

No, Mr Speaker, again the Hon Member confuses the two issues. I do not like to use the word 'bodies' but if the bodies necessary for cleaning, wardening, security are now amply produced and under the new inhouse management of the Agency there will be more support given to the Nature Reserve and henceforth to the Agency. The expert advice on the efficient management of the apes from the ape control point of view, the professional support, is being sought at this stage and there are various systems that we can utilise but at this stage I am not sure, Mr Speaker, which of those I am going to use.

HON F VASQUEZ:

But the point I am trying to make, Mr Speaker, is that a year ago it was felt that the resources available to Government within Gibraltar for the expert support of the packs, ie the RSPCA and any other local individuals who might have any knowledge in this field, were said to be insufficient which is why Medambios and Dr John Fa were seen, as it were, as the saviour and the person who was actually going to introduce a Gibraltar expert in this very field. Now that that individual has gone, where is the Minister, Mr Speaker, going to find this expertise that a year ago was not available in Gibraltar?

HON J E PILCHER:

Mr Speaker, the Hon Member opposite will accept that on the veterinary side we already have local support and what I am referring to is not the management but the advise that the professionals, like Dr John Fa, can give us on what is the best way of dealing, controlling and the husbandry of apes. In this particular field, at this stage, we are still not sure, Mr Speaker. We have offered certain consultancy contracts and because of other matters we are not sure what the way forward is going to be. I cannot see anything any plainer than that.

MR SPEAKER:

I think that the Minister has made the position extremely clear now. He cannot give an answer and obviously it is no use pursuing the point. Next question.

NO. 99 OF 1992

ORAL

THE HON F VASQUEZ

Does the Government consider it appropriate to establish a telephone link to the Upper Galleries, the Apes' Den and other relatively inaccessible tourist sites in the Upper Rock area?

ANSWERTHE HON THE MINISTER FOR TOURISM

Yes, Sir.

SUPPLEMENTARY TO QUESTION NO. 99 OF 1992

HON F VASQUEZ:

Mr Speaker, will the Minister be so kind as to explain when this is to happen, given that they have not been established to date and it is important that they be established?

HON J E PILCHER:

Mr Speaker, in conjunction with Nynex we already have working "Pay Phones" installed at St Michael's Cave. We have working "Pay Phones" in the Upper Galleries. We are looking at Jew's Gate and the Apes' Den and I am assured that over the next three or four months those areas, because there are problems with MOD land, those areas will be taken over by Nynex and I expect that within the next three or four months all those sites will have "Pay Phones".

HON J C PEREZ:

Mr Speaker, the concern the Hon Member has about the Apes' Den has nothing to do with the apes wishing to talk and we need to provide telephones for them. That would be a revelation on the part of the Hon Member.

HON F VASQUEZ:

No, Mr Speaker, I am actually more concerned about young boys falling off walls and breaking their heads open as happened only a few months ago and be able to summons an ambulance.

HON P R CARUANA:

Mr Speaker, now that the Hon Minister for Government Services has lightened the spirit of things and whilst we are talking about the Apes' Den, can the Hon Minister confirm, given a recent letter written to the editor of a local newspaper, that there is no danger of the apes being repossessed by people claiming to have given them to Gibraltar in the first place?

MR SPEAKER:

Could the Hon Member put the question again because I do not think it has been heard.

HON J C PEREZ:

The answer is no, Mr Speaker.

HON J E PILCHER:

Obviously it has been taken in the jest. I do not think it deserved an answer.

MR SPEAKER:

Next question.

THE HON F VASQUEZ

Is Government satisfied that Gibraltar's Tourist sites are maintained in a presentable and attractive state, likely to enhance the touristic appeal of Gibraltar?

ANSWERTHE HON THE MINISTER FOR TOURISM

Yes, Sir.

SUPPLEMENTARY TO QUESTION NO. 100 OF 1992

HON F VASQUEZ:

Mr Speaker, I wonder if the Hon Minister has paid a visit recently to the Upper Galleries and seen the state of those delightful exhibits there that are now growing mushrooms instead of shedding light on our history. I wonder if the Minister, for example, has managed over the last couple of weeks to step outside into the Piazza and seen the state of the fountain, examined the state of the lavatory there and other such matters, in particular the Upper Galleries?

HON J E PILCHER:

Mr Speaker, the Hon the Minister for Tourism does go round the sites two or three times a week, which is more than can be said for the Hon Member opposite, because if he had he would have known, before he put the question, that the Upper Galleries has been closed now for the last three weeks for refurbishment. He would have noticed that if he had bothered to check. I think, Mr Speaker, that he only bothers at Question Time. This was the only site that we had not refurbished. St Michael's Cave, the Apes' Den, the Nature Reserve, the Museum have all been done and only the Upper Galleries remained. We are looking at th that now. As to the question of the famous fountain, Mr Speaker. Well, believe it or not this is a matter that has racked not only my brains but other Members have also been looking at it. Over the next week or two that fountain, unfortunately, will have to be converted into a small garden. It will be a beautiful garden with railings. We have been looking at the possibility of restoring the fountain but the cost of changing the whole of the piping system, Mr Speaker, is prohibitive and in any case we feel that it is not assured that if we did have that fountain working again that we would not continue to have it vandalised again. I will not mention the toilets, Mr Speaker, because the Hon Member has a question on that.

HON F VASQUEZ:

Mr Speaker, I am delighted to hear of the developments in relation to the fountain. As regards the Upper Galleries, again I am delighted to hear that at last the refurbishment is being undertaken but I do not think it exonerates the Hon Minister, Mr Speaker, from the responsibility of having had those Upper Galleries for the last two or three years in a shocking state of neglect and a source of constant embarrassment to visitors to Gibraltar.

HON J E PILCHER:

Mr Speaker, this is really not part of the supplementary but the Hon Member thanks me on the one hand and then he stabs me on the back. I think all Shadow Ministers of Tourism tend to do this. If I may take back the Hon Member opposite to my answer to Question No. 93 which said: "Within the limited resources available to this sector of Government responsibilities" that, Mr Speaker, is the truth of the matter. We would like to have money to refurbish everything. We had a three-year programme and we have with the Upper Galleries completed the refurbishment and completed that three-year programme, Mr Speaker.

HON H CORBY:

Mr Speaker, can I ask the Minister if the refurbishment of the Upper Galleries, and I move in Gibraltar very much myself, was undertaken because of the Rock Tour by the Taxi Association and the exhibits were pointed out to the Minister there and then?

HON J E PILCHER:

Mr Speaker, like his Hon colleague, the Hon Member knows the answer to that question so I will not bother to give him the answer.

MR SPEAKER:

Next question.

NO. 101 OF 1992

ORAL

THE HON F VASQUEZ

Does Government consider it appropriate to install working toilets in the Coach Park, the Apes' Den and the Upper Galleries and to restore to working and hygienic condition the toilets in the Piazza?

ANSWERTHE HON THE MINISTER FOR TOURISM

Mr Speaker, the Coach Park and the Piazza toilets are maintained whenever possible, to working and hygienic conditions. It is not Government policy to install toilets at the Apes' Den or at the Upper Galleries.

SUPPLEMENTARY TO QUESTION NO. 101 OF 1992

HON F VASQUEZ:

Mr Speaker, given that it is one of Gibraltar's prime tourist sites and given that the Hon Minister is trying to market Gibraltar as an upmarket tourist resort, does he not consider it appropriate that (a) there ought to be toilets at the Apes' Den which is Gibraltar's prime tourist site, and (b) that he ought to ensure that toilets at important sites, for example, the Coach Park, are in working condition? The Minister says, Mr Speaker, that he wants to market Gibraltar as a high class tourist resort and I can quite assure him that tourists who walk round Monaco do not have to spend hours looking for a working toilet which is available to them.

HON J E PILCHER:

Mr Speaker, contrary to an article or a slight comment in the Chronicle, I have been to Monaco on three occasions.

HON F VASQUEZ:

I do not doubt it, Mr Speaker.

HON J E PILCHER:

Mr Speaker, first of all let me answer the part on the Apes' Den. The Apes' Den is part of the Nature Reserve, Mr Speaker, which is a relatively big area but is an integrated site that already contains toilets at St Michael's Cave and will contain toilets at Jews' Gate. So it is an area which is serviced by two sets of working toilets and we believe that that is enough for the area. The problem of the Apes' Den, Mr Speaker, is

that it is not just a question of providing a toilet, but that there are no sewage connections in the Upper Rock and to provide toilet facilities at the Apes' Den is not the cost of building the toilet but the cost of the infrastructure required. It would be a tremendous cost to put the necessary infrastructure. I am however satisfied, Mr Speaker, that in the Nature Reserve there are sufficient facilities and if you take a Rock Tour there are enough facilities. In the Upper Galleries we suffer the same problem, Mr Speaker, about the necessary infrastructure but during the refurbishment I am advised that the Tourism Agency is looking at the possibility of utilising an old well to try and see whether we can provide a toilet although that is not, in my estimation, the most hygienic of facilities because obviously, Mr Speaker, we then need to have a system to remove the sewage. As regards the toilets round Gibraltar, I can assure Members, Mr Speaker, that we have a maintenance contract which cleans the toilets two or three times a week. We have spent a lot of money refurbishing toilets and when I have said that the Coach Park and the Piazza toilets, in particular, are maintained whenever possible, Mr Speaker, it is because they suffer tremendously, like many other areas in Gibraltar, unfortunately, from acts of pure vandalism. We have had to close the Piazza men's toilet some three weeks ago because after refurbishing the toilets for a second time all the urinals were ripped out and thrown all over the place. We have now closed it to refurbish it again, Mr Speaker, and we are adjusting our policy and we will have people manning that toilet but I assure the House that at the end of the day even when toilets are manned we suffer certain vandalism in the toilets because obviously the attendant cannot follow people into the areas. I assure you, Mr Speaker, it is something which I am conscious of and improvements are being tried and it is a question of adjusting and continuing to spend money to try and maintain them in a fit and proper manner.

HON P R CARUANA:

Mr Speaker, we understand that the problems of vandalism cannot be laid at the Hon Minister or his Department or any of his colleagues. But by the same token I would invite him to accept that the fact that the problem is caused by vandalism is not an explanation that can be offered to visitors to Gibraltar and therefore as a community we have to pay whatever price we have to pay for the fact that we have vandals in our midst.

HON J E PILCHER:

Mr Speaker, I assure the Hon Member opposite that we are paying dearly for having vandals in our community.

HON F VASQUEZ:

If I just might to finish, Mr Speaker, and I am grateful for your indulgence, just deal with the question of the Apes' Den. I am surprised to hear the Hon Minister state that he considers that the Apes' Den has satisfactory arrangements as regards toilet facilities.

HON J E PILCHER:

I did not say that, Mr Speaker.

HON F VASQUEZ:

I think the Hon Member did say that.

HON J E PILCHER:

No, Mr Speaker, I said that the Nature Reserve, which is now an integrated site that includes St Michael's Cave, the Apes' Den and the rest of the Nature Reserve, has enough toilets at St Michael's Cave and Jews' Gate to service the whole area and if somebody comes from St Michael's Cave and is issued with a leaflet saying: "Toilet facilities are at Jews' Gate and St Michael's Cave" then he should use the toilet facilities at St Michael's Cave before he visits the apes. That is forward planning, Mr Speaker!

HON F VASQUEZ:

All I am seeking, Mr Speaker, is a reassurance because, as I have said, whatever the Hon Minister says about adequate toilet facilities in the area of the Nature Reserve, the fact is that comes as precious little reassurance for a tourist to find out that he has to go to the lavatory at the Apes' Den and he cannot drive back. I just want to make this point and I would ask for the Minister's undertaking, if he can give it, that every effort will be made and obviously where there is a will there is a way and we have an enormous amount of technology in our hands that we can get refuse incinerators, that give us power, and that he will take every step possible to make sure that before the end of the tourist season there are functioning toilets at the Apes' Den which is an important matter.

HON J E PILCHER:

The Hon Leader of the Opposition will be happy with this answer, yes, Sir.

MR SPEAKER:

Next question.

NO. 102 OF 1992

ORAL

THE HON F VASQUEZ

What plans has Government made to relieve traffic congestion in the Upper Rock area in order to ensure that the emergency services will be able to attend at the scene of any accident, fire or other emergency?

ANSWERTHE HON THE MINISTER FOR TOURISM

Mr Speaker, before the new system was put into operation, there was already a problem of traffic congestion due to the limited access to the rock.

The new system has just been implemented and is being closely monitored. Any problem arising will be dealt with in consultation with the Public Service Vehicles and Taxi Associations.

SUPPLEMENTARY TO QUESTION NOS.60 AND 102 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, have there been any results positive or otherwise of this monitoring so far?

HON J E PILCHER:

It is slightly soon, Mr Speaker, but I can tell you that on average, over the last two or three weeks, the number of vehicles turning back is in the region of about ten vehicles a day which is about 1% or 2% of the traffic going up. We have had a couple of situations where one or two vehicles have actually been there at the same time and created a slight problem. We are looking at a holding area. We are looking at a traffic light system to stop the traffic in order to allow the traffic back and at a turnaround area. As I said, it is being monitored on a day to day basis and we are meeting every week with the professionals in order to look at these problems.

HON P R CARUANA:

Mr Speaker, will the Hon Minister acknowledge that the problem is not so much one of a head to head meeting on coming down because, after all that stretch of road has always been two-way and, we have always managed one way or the other. The problem is that at the point where the barrier is the vehicle that changes its mind about going into the Nature Reserve is the point where presumably it will have to turn round. There is physically no space for the vehicle to turn round.

HON J E PILCHER:

Yes, Mr Speaker, I would acknowledge that and this is why I am saying that we are looking at a holding area and a turnaround area to allow the vehicle being held and turned to go back down without holding up the traffic that is coming up to enter the Nature Reserve.

HON P R CARUANA:

Mr Speaker, unless you are going to extend the road by reclaiming on the side of the road, you would have to let them go through to Jew's Gate, turn round there and then face problems of oncoming traffic which will be much less than the problem of turning round, I accept that. But how are you going to monitor that?

HON J E PILCHER:

That is one possibility, Mr Speaker. When we are monitoring we are looking at different scenarios. Obviously when we look at that and we see which is the best possible way, in conjunction with the professionals, the people who are going up and down the Rock on a day-to-day basis, we will find out which is the best solution, Mr Speaker.

HON F VASQUEZ:

Mr Speaker, I refer more in particular to Question No.102. In the light of the accidents which have already happened up the Rock, there have been incidents of fire and injuries to tourists, does the Minister not consider it prudent that contingency plans ought to be in place now as to how there is going to be reaction to those instances when they happen as opposed to saying that the matter is being looked at and that, hopefully, when something happens contingency plans would have been made? Are there plans now to deal with that sort of incident which invariably will happen with the passage of time?

HON J E PILCHER:

Yes, Mr Speaker, there are contingency plans like there have always been contingency plans because it is not the congestion in the Upper Rock, which is really Question No.102, (and I accept that I only referred to it at the start), that is created by the Nature Reserve. It is something which has been getting progressively worse since the opening of the frontier. There are contingency plans. The Police and the Fire Brigade have contingency plans and what we are looking at is to see how we can facilitate the problems as a result of the opening of the Nature Reserve but it is not that the problems are new problems created as a result of the Nature Reserve.

HON P R CARUANA:

Only the Hon Minister has linked two issues by choosing to answer both questions together. Our questions about the congestions do not refer to the Nature Reserve.

HON J E PILCHER:

Yes, I accept that but I also accept that over the last two to three months (perhaps I am wrong and I am looking at a situation which is totally different) this is a matter which has been raised by different bodies and the two have been linked together. What I am saying is, that if you want to separate the two, there are contingency plans in answer to Question No.102. We are, in fact, very closely monitoring the situation together with the Fire Brigade and I do not envisage that there will be other problems other than that the access to the Upper Rock is a limited access and whatever contingency plans you put into operation there is always the likelihood of accidents happening in the area like they can happen in any other area anywhere in the world, Mr Speaker.

MR SPEAKER:

Next question.

THE HON LT-COL E M BRITTO

Will Government make public the terms of the contract between Government and Kvaerner and will it say whether it has taken any steps to try to ensure that Gibraltarians are given priority of employment?

ANSWERTHE HON THE MINISTER FOR TOURISM

Mr Speaker, no, Sir. The detailed contract between a private company, in this instance, Kvaerner, and the Government is a matter which is commercially in confidence and it is not our intention to make it public. The overall terms were made available to the general public at a Press Conference held with Kvaerner when the contracts were finalised.

Agreement was arrived at between the Transport and General Workers Union and Kvaerner that priority of interview would be given to ex-GSL employees. Other than this the same conditions for employment applies to Kvaerner as to any other private company in Gibraltar, in accordance with EC law.

SUPPLEMENTARY TO QUESTION NO. 103 OF 1992

HON LT-COL E M BRITTO:

Mr Speaker, will the Minister say whether as a result of the priority of interviews, this has de facto resulted in priority of employment?

HON J E PILCHER:

In practice it has, Mr Speaker.

MR SPEAKER:

Next question.

NO. 104 OF 1992

ORAL

THE HON P R CARUANA

Will the Government lay before the House the accounts of GSL to 31st December, 1991?

ANSWERTHE HON THE MINISTER FOR TOURISM

No, Sir. As was stated by me in the House on 9th July, 1991, GSL accounts will no longer be tabled at the House.

SUPPLEMENTARY TO QUESTION NO. 104 OF 1992

HON P R CARUANA:

Will the Hon Minister, Mr Speaker, explain why? I know the Government has no longer an obligation to do so having repealed the Ordinance with indecent haste, but what is the reason why the Government will not do so?

HON J E PILCHER:

No, Sir, I will not explain it now because I explained it on the 9th July and all the Hon Member has to do is go back and read the Hansard.

MR SPEAKER:

Next question.

NO. 105 OF 1992

ORAL

THE HON H CORBY

When will Government be in a position to provide information to the people of Gibraltar about the future of the Old Age Pension Scheme and the final solution of the so-called Spanish Pensions problem?

ANSWERTHE HON THE CHIEF MINISTER

When the information is available it will be provided.

SUPPLEMENTARY TO QUESTION NO. 105 OF 1992

HON H CORBY:

Mr Speaker, the Hon the Chief Minister must agree with me that we are now in the second quarter of 1992. There are very worrying thoughts in the minds of the people of Gibraltar as to this very important issue. The people of Gibraltar also seem to think that the solution to the Spanish problem has also taken place. So I urge the Hon the Chief Minister to make a statement as soon as possible.

HON CHIEF MINISTER:

I agree with the Hon Member that we are in the second quarter of 1992, Mr Speaker.

MR SPEAKER:

Next question.

NO. 106 OF 1992

ORAL

THE HON F VASQUEZ

Does the Government still intend to open a Gib Office in Marbella and, if so, when?

ANSWERTHE HON THE CHIEF MINISTER

There are no immediate plans to do this.

SUPPLEMENTARY TO QUESTION NO. 106 OF 1992

HON F VASQUEZ:

Mr Speaker, can the Hon Chief Minister confirm that he did at one stage state publicly that it was the intention? I think it was when Señor Jesus Gil visited Gibraltar one or two months ago?

HON CHIEF MINISTER:

No, Mr Speaker, I did not state that. Señor Jesus Gil stated that he was offering us the opportunity of doing it.

HON F VASQUEZ:

Did the Hon Chief Minister not say that he was interested in taking up that proposition?

HON CHIEF MINISTER:

No. However when I meet nice people who make me nice offers I listen to them, unlike Members of the Opposition who have only nasty things to offer us.

MR SPEAKER:

Next question.

NO. 107 OF 1992

ORAL

THE HON F VASQUEZ

Who is responsible for establishing the policy of the Gibraltar Information Bureaux?

ANSWERTHE HON THE CHIEF MINISTER

The Government, Mr Speaker.

SUPPLEMENTARY TO QUESTION NO. 107 OF 1992

HON F VASQUEZ:

Mr Speaker, I was surprised, I must say, only a few minutes ago to hear the Hon Minister for Tourism say that one of the reasons he took objection to the article and the interview of the Chairman of the UK/Gibraltar Tourist Association was that he considered that this individual had a vested interest because as well as being the Chairman of the Association he happened also to be, I think, a director of Cadogan Travel. In that context, could the Hon Chief Minister give us a reassurance that the individual tasked with the running of the GIB Office in London, Mr Albert Poggio, whose task now is not only the running of the Information Bureau in London but handling all decisions relating to the marketing of Gibraltar, can he reassure us that that individual does not have his own vested interest that might cloud his judgement in issues of this nature?

HON CHIEF MINISTER:

I can assure the Hon Member opposite that in my judgement Mr Poggio is more capable of keeping his private interest differentiated from his duties in the GIB than the Member opposite is in keeping his private interest as a lawyer differentiated from his role as Member of the House.

HON F VASQUEZ:

I must say, Mr Speaker, I am delighted to hear again that sort of allegation made against me. It is something I suppose that I am going to have to learn to live with.

HON CHIEF MINISTER:

Mr Speaker, I have not made any allegation. I have said that in my judgement I am confident that Mr Poggio is more capable than he is. If he is very capable he should have nothing to worry about.

HON F VASQUEZ:

I am very grateful for the Hon Chief Minister's generous judgement. What I would like to know then is, does the Hon Chief Minister think that Mr Poggio's position had any bearing at all on what I considered, and I said so publicly that I considered and found it a rather extraordinary decision to withdraw the Cadogan Travel Brochure from the GIB Offices, a decision which I understand was subsequently overturned by the Government of Gibraltar.

HON CHIEF MINISTER:

Mr Speaker, the question is about the policy of the Gibraltar Information Bureaux and it was not the Gibraltar Information Bureaux that withdrew all the Cadogan Travel Brochure. That decision, in fact, was something discussed with that gentleman in that particular organisation in January this year and when it came to my attention I was surprised that between January and the recent statement there had been no attempt to bring this matter to the attention of the Government.

HON F VASQUEZ:

I do not understand that answer, Mr Speaker. Could the Hon Chief Minister say who initially took the decision to withdraw the Cadogan Travel Brochure from the GIB Offices?

HON CHIEF MINISTER:

There was no decision to withdraw anything because there was nothing there to be withdrawn. The decision not to accept it for distribution in January, before the General Election, was a decision which was not something that somebody sat down and took a policy decision on but a consequence of a policy that had been there for a very long time and when the Gibraltar Information Bureau in London was asked whether they would distribute this particular brochure they communicated to the Association what was the standard policy. The gentleman concerned, at the time or in between the beginning of January and the date when the public statements were made, made no attempt to make representations about the decision that had been communicated to him, as an established long-term policy, which had nothing to do with the Gibraltar Information Bureau policy as such, but what had been there for a very long time.

MR SPEAKER:

Next question.

NO. 108 OF 1992

ORAL

THE HON P R CARUANA

Given the Gibraltar Information Bureau's access to public funds, who is responsible for the financial administration of the Gibraltar Information Bureau, what financial control systems are in operation in that organisation and does it produce accounts and will they be laid before the House?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the Gibraltar Information Bureau does not have any more access to public funds than any other company which is contracted by the Government to carry out a task. It has the same controls as any other such company and produces audited accounts which are not laid before the House.

SUPPLEMENTARY TO QUESTION NO. 108 OF 1992

HON P R CARUANA:

Mr Speaker, is the Gibraltar Information Bureau not funded from Government resources and is it not now to have transferred to it the budget previously placed with the Gibraltar Tourism Agency?

HON CHIEF MINISTER:

Mr Speaker, just like the Gibraltar Tourism Agency previously was, in fact, contracted by the Government to carry out certain functions, operated the same as any other private company, had the same controls as any other company and produced accounts which were not laid before the House. So it is not that it has access to funds, it has a contract and a condition attached to that contract which it has to fulfil in order to get paid a certain sum of money. That is no different from any other contractor.

MR SPEAKER:

Next question.

THE HON P R CARUANA

Does any Minister enjoy a salary, allowance or other emolument whatsoever or benefit in kind from any company of which he is a director by virtue of the fact that he is a member of the Government?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, none, as has already been stated in answer to a similar question in the previous House of Assembly.

SUPPLEMENTARY TO QUESTION NO. 109 OF 1992

HON P R CARUANA:

Mr Speaker, I think the Hon the Chief Minister will find that this question is a little bit wider than that but still the answer is none?

HON CHIEF MINISTER:

The answer is none. All the work that Ministers are expected to do on behalf of the Government in any company, they are expected to do for free.

HON P R CARUANA:

And they do?

HON CHIEF MINISTER:

And they do unless the Hon Member says he does not believe us in which case he should come out and say so.

MR SPEAKER:

Next question.

NO. 110 OF 1992

ORAL

THE HON P R CARUANA

Does any Minister enjoy facilities such as (but not limited to) the use of office facilities or transportation facilities from any company and, if so, which Minister and what facility and from which company?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, all Ministers have access to the facilities of transportation or otherwise in the company of which they are directors, like all other directors who are not Ministers.

SUPPLEMENTARY TO QUESTION NO. 110 OF 1992

HON P R CARUANA:

Mr Speaker, the Hon the Chief Minister is aware that we have markedly different views as to the propriety of Government Ministers sitting on Boards. Does the Hon the Chief Minister agree that it would be improper for a Government Minister to have an office or office facilities made constantly available to him in the offices of a completely private company in which the Government has no shareholding?

HON CHIEF MINISTER:

No, Mr Speaker, because Ministers are not running private businesses for private profit and if a Minister is able to make use of facilities in order to carry out work which is for the public good, since we are all working for the same pay that Ministers were getting in 1987 when, in fact, previously they were allowed to have private businesses, then I would say I consider it improper for a Minister to be using a Government office for his private business but I see nothing wrong in using a private office for the business which is to the benefit of the Government and does not cost the Government money.

HON P R CARUANA:

Mr Speaker, I am aware that the Chief Minister sees nothing wrong in it and that is the difference in view that I highlighted it at the beginning of my question.

HON CHIEF MINISTER:

Yes, Mr Speaker, and a difference in view that the Member in January tried to persuade people in Gibraltar to accept as an aspersion on the commitment and the integrity of the Government that had been adopting this policy for four years and the result of that was that he managed to convince so few people that he is the Leader of the Opposition with the lowest vote in the history of the House of Assembly.

HON P R CARUANA:

I do not recall making any reference to this matter but still the point had to be made at some stage and it might as well be now.

MR SPEAKER:

Next question.

NO.111 OF 1992

ORAL

THE HON P R CARUANA

Does the Government, either directly or through a company, have any investment or business interest in Vietnam or elsewhere in the Far East?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, there are no direct Government investments in Vietnam or elsewhere in the Far East.

SUPPLEMENTARY TO QUESTION NO.111 OF 1992

HON P R CARUANA:

With the greatest of respect, that is not the answer to the question, it says direct or indirectly through a company.

HON CHIEF MINISTER:

It is the answer to the question because I have answered the question on behalf of the Government which is the only answer that he is going to get in this House about the investment, Mr Speaker. Every other company in which the Government has got a direct or indirect shareholding has in its Articles of Association, as most Articles of Association are in companies in Gibraltar, the freedom to invest anywhere in the world be it Vietnam or Sevastopol and, therefore, as far as I am concerned, if any company in which we have shares finds a profitable way of expanding its business then that is what we expect them to do.

HON P R CARUANA:

So as I understand the answer, it is simply that the Hon Chief Minister will not tell me rather than there is not?

HON CHIEF MINISTER:

No, it is not that I will not tell the Hon Member rather than there is not. It is that in fact whether there is or there is not, is a matter for the company concerned and therefore, as far as we are concerned, we are interested that any expansion abroad is profitable, if it is an investment that we have made in a particular business

not in a particular area. Of course, as the Hon Member opposite knows, I have visited Hanoi and the Government is interested in promoting greater trade between Vietnam and Gibraltar and therefore anything that we can do to encourage Gibraltar businessmen to do this we will do.

HON P R CARUANA:

Perhaps if I could rephrase my question the Hon the Chief Minister will have less difficulty in answering it. Is the Hon the Chief Minister prepared to say whether Government has invested public monies in the purchase of shares or otherwise in any company that has investments in that place?

HON CHIEF MINISTER:

Mr Speaker, the Government has got an Investment Fund which owns substantial shareholdings and within that there may well be a company that may or may not have such investments. I do not know and, frankly, I do not intend to seek to find out in order to tell the Hon Member because if I knew I would not tell him.

HON P R CARUANA:

So if public funds, Mr Speaker, had been used to purchase shares in a company that had investments in Vietnam the Hon the Chief Minister does not know?

HON CHIEF MINISTER:

No, what I am saying is that we have got investments in the Investment Fund in a range of companies and I cannot tell the Hon Member whether any one of those companies or all of them or none of them have made any investments in Vietnam. I know that there are companies interested in promoting trade with Vietnam but whether that includes investing or not I am not 100% sure. But in any case, as far as I am concerned, it is not something we intend to debate or answer on in the House because, in fact, as far as we are concerned, the investment of the Government is in the shares of the parent company and therefore that is as far as we have got to reflect it in the Accounts of the Government.

MR SPEAKER:

Next question.

30.4.92

NO. 112 OF 1992

ORAL

THE HON P R CARUANA

How many people are employed by the Gibraltar Development Corporation and are they all full-time employees and, if not, how many are full-time employees and how many are part-time employees?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 113, 114 and 115 of 1992.

30.4.92

NO. 113 OF 1992

ORAL

THE HON P R CARUANA

What are presently the assets of the Gibraltar Development Corporation?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 112, 114 and 115 of 1992.

30.4.92

NO. 114 OF 1992

ORAL

THE HON P R CARUANA

Who were the Auditors of the Gibraltar Development Corporation during the financial year ended 31st March, 1992?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 112, 113 and 115 of 1992.

NO. 115 OF 1992

ORAL

THE HON P R CARUANA

Given that the Gibraltar Development Corporation collects substantial sums of money from the public payable as a requirement of the law, and given that Ministers sit as directors of the Corporation, will the Government lay the accounts of the Gibraltar Development Corporation before the House and, if so, when?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the Gibraltar Development Corporation has no employees and it does not receive substantial sums from the public. Its first accounts were for the period ended 31 March 1991. These were audited by a local professional accounting firm appointed in accordance with Section 24(2) of the Ordinance. The accounts are not laid before the House.

At present the main asset of the Corporation is the Airport terminal building.

SUPPLEMENTARY TO QUESTION NOS.112, 113, 114 AND 115 OF 1992

HON P R CARUANA:

Mr Speaker, would the Hon the Chief Minister say who is the Registrar of the Insolvency Fund?

HON CHIEF MINISTER:

Mr Speaker, the position is that the role undertaken by the Corporation as agent of the Government is discharged through the secondment of civil servants to the Employment and Training Unit. It has nobody employed.

HON P R CARUANA:

But the fact of the matter is that the Honourable the Chief Minister has said that this Corporation receives no money from the public.

HON CHIEF MINISTER:

That is correct, Mr Speaker.

HON P R CARUANA:

That is not correct. It may not be money to which it is entitled as a matter of legal right but it does receive money from the public. The answer is too clever by half and assumes that the question is much more convoluted than it is intended to be! 'Receives' means 'literally receives'.

HON CHIEF MINISTER:

Well, I do not know when the Hon Member means that 'receives' means 'literally receives' but if the Hon Member is saying that the accounts should be laid before the House because it receives money then I have to assume that he is using the word 'receive' on the basis that it would be income shown in the accounts. Well, the income is not in the accounts of the Corporation; as the Hon Member has already been told in answer to a previous question by the Minister for Education; because it goes into the Insolvency Fund or it goes into the administrative costs of the Employment and Training Unit and therefore the money is not being received by the Corporation and if the Corporation were to show its accounts in the House it would not show receipts of the sums. So I have to assume that he meant that the money was being received by the Corporation as income otherwise the reference to the accounts is meaningless.

MR SPEAKER:

Next question.

THE HON P R CARUANA

How much revenue of a kind which prior to 1st April, 1990, would have been legally required to be paid into the Consolidated Fund has Government collected during the year ending 31st March, 1991, and 31st March, 1992, and paid into a Fund other than the Consolidated Fund and of those sums, if any, (and I now know that there are) how much has Government spent without the authority of an Appropriation Ordinance?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the figure for the financial year 1990/91 has been given in answer to Question No. 4 of 1992. The figure for the financial year 1991/92, inclusive of the sum already given in Question No. 4 of 1992, is approximately £15m.

Expenditure of any sums from any Special Fund does not require the authority of the Appropriation Ordinance.

SUPPLEMENTARY TO QUESTION NO. 116 OF 1992

HON P R CARUANA:

Mr Speaker, with the greatest of respect that is not the question that was asked. The question is how much money of the kind, and I now know the answer of £15m, has been spent? But that is not my supplementary. Presumably, Mr Speaker, and I ask the Hon the Chief Minister to confirm that, the sum of £15m that he has quoted in relation to 1991/92 includes sums collected in respect of import duty minus the cost of administration which are now payable into the Social Assistance Fund.

HON CHIEF MINISTER:

That is correct, Mr Speaker.

HON P R CARUANA:

Well, unless, Mr Speaker, I have myself fallen victim of the difficulties that we described earlier of using the Laws of Gibraltar because they had become so unmanageable, is the Hon the Chief Minister aware that my copy of the Import and Export Ordinance, Section 45 thereof, requires that monies collected in respect of import duty "shall be paid into the Consolidated Fund" and that therefore any money collected in import duty that has been paid into the Social assistance Fund has been unlawfully so paid?

HON CHIEF MINISTER:

Well, Mr Speaker, obviously we believe that we have done it lawfully but we will go back and check the position in view of what the Hon Member has said and if, in fact, there is a contradiction between the law and the policy of the Government the law will be changed.

HON P R CARUANA:

Given that the sum in relation to the next year is £17m or that it was that in the forecast outturn, does the Hon Member not think that this is a matter in which the Government might have taken a little bit more care to act within the ambit of the law?

HON CHIEF MINISTER:

Mr Speaker, I have not accepted that the Hon Member is correct. I have said that we will look at it again in case he might be because it is not impossible that he should be occasionally right. I expect him to be wrong but nevertheless I will give him the benefit of the doubt and I will check. It is a matter that is reflected in the Estimates which have been tabled today and I will be able to give him any further explanation he wants when the Estimates are debated.

HON P R CARUANA:

Mr Speaker, I have no doubt that a piece of green paper will be rushing its way around this House to the Opposition Members to amend the Import and Export Ordinance.....

HON ATTORNEY-GENERAL:

Mr Speaker, can I take a point of order on this and refer the House to paragraphs (5) and (6) of Clause 16 of Standing Orders and perhaps this practice of arguing about the law in this form can be put to an end because I think it should be. "A Member may put a supplementary question or questions for the purpose of further elucidating any matter of fact" and perhaps the Hon Member can take note of this and the emphasis which is placed upon the word 'fact' "arising out of an oral answer given provided that the Speaker shall disallow any supplementary question if, in his opinion, it infringes any of these Orders relating to the admissibility of questions and in that case the supplementary question shall not appear in the Minutes or in any report of its proceedings". And secondly: "A supplementary question must not introduce matter not included in the original question". And (6) states: "A question must not be made a pretext for a debate".

HON P R CARUANA:

As to the last part of that, Mr Speaker, I think he is bolting the door after the horse has bolted because this is what we have been doing all day. And as to the first part, with the greatest of respect, I do not accept that that means that the

Leader of the Opposition cannot comment in this House about the possibility that the Government had unlawfully paid substantial sums of public money into the wrong Fund. I do not accept that nor do I accept that it is a legal debate.

MR SPEAKER:

The ruling is made by me. I am fully conscious of the Rules and the Opposition is also, I believe, because they have had a chat with me and they know perfectly well what the Rules are. However, one has to be flexible as this Chair has always been flexible right from the beginning of this House when the Constitution started operating here and it is the intention to be so if, in the opinion of the Speaker, he thinks that the matter that is going to be aired is of enough public interest. The Rules are there, as I see it, to control the House rather than to stifle freedom of speech. It is with that spirit that I allow Members to go on and now and again, of course, as they know perfectly well, I put a stop to it.

HON P R CARUANA:

Yes, Mr Speaker, speaking for this side of the House, I can say and I do say that we are grateful for the latitude that Mr Speaker allows on the question of supplementaries and that we recognise the reason why Mr Speaker does it and that we think it is a laudible reason.

MR SPEAKER:

Next question.

30.4.92

NO. 117 OF 1992

ORAL

THE HON P R CARUANA

What is the total debt (other than debt to Government itself or to other Government owned companies) of companies which are either directly or indirectly wholly Government owned and how much money (other than as aforesaid) does Government envisage will be borrowed by such companies during the year ended 31st March, 1993?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 118 and 119 of 1992.

30.4.92

NO. 118 OF 1992

ORAL

THE HON P R CARUANA

What is the total debt of each of Gibraltar Residential Property Company Limited and GRP Investments Company Limited other than debt due to Government itself or to other Government owned companies?

ANSWER

THE HON THE CHIEF MINISTER

Answered together with Question Nos. 117 and 119 of 1992.

NO. 119 OF 1992

ORAL

THE HON P R CARUANA

Given that GRP Investments Company Limited and Gibraltar Residential Property Company Limited are leaseholders of much of the public housing stock of the Government of Gibraltar, will Government confirm that neither of those companies will borrow money from third parties other than Government itself or other Government owned Companies?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the debt of any company in which the Government has any money invested is a matter for the company to determine in pursuing its commercial interest to develop the business. As was stated in answer to Question No.43 of 1991, tabled by the Member opposite, the Government has no guarantees in respect of any such debts.

SUPPLEMENTARY TO QUESTION NOS. 117, 118 AND 119 OF 1992

HON P R CARUANA:

Mr Speaker, do the figures for the public debt of Gibraltar include the debt of any company of which the Government is the sole shareholder?

HON CHIEF MINISTER:

No, Mr Speaker. Obviously if the Government does not guarantee such debts they are not public debts.

HON P R CARUANA:

Mr Speaker, I am a bit thrown because, of course, I have now got to see that the answer is the answer to all three questions which have been joined up together. We have not done Question No.120. I think Question No.120 is separate. Is that right, Mr Speaker?

MR SPEAKER:

That is correct. Next question.

NO. 120 OF 1992

ORAL

THE HON P R CARUANA

Will the Government confirm that neither it nor any company directly or indirectly owned by Government will use publicly owned housing stock as collateral for any borrowing?

ANSWERTHE HON THE CHIEF MINISTER

No, Mr Speaker.

SUPPLEMENTARY TO QUESTION NO. 120 OF 1992

HON P R CARUANA:

No, the Hon Chief Minister will not confirm?

HON CHIEF MINISTER:

Yes, Mr Speaker.

HON P R CARUANA:

Am I to understand by that, that the Government may do that or that companies may do that?

HON CHIEF MINISTER:

The Hon Member may understand that the Government may do it if the property is held directly by the Government and that the company may do it if the property is held directly by the company.

HON P R CARUANA:

Mr Speaker, given; and again this is a matter upon which the Hon the Chief Minister and I have markedly different views; that there are companies that are completely owned and controlled by Government and by Members sitting on the other side of the House, will the Hon the Chief Minister agree that the use of these companies for the borrowing of money, secured or not, it does not matter, by publicly owned housing stock gives the Hon the Chief Minister the means of borrowing money through the medium of Government owned companies and that that will never be disclosed to this House?

HON CHIEF MINISTER:

Mr Speaker, since the question is about whether we are using publicly owned housing stock as collateral for

borrowing, I do not see what is the relevance of a totally separate issue as to whether companies should borrow or not and the answer must be that if companies borrowed money for expanding their business, then it is not public debt and does not need the approval of the Loans Empowering Ordinance. That is obvious.

HON P R CARUANA:

And therefore the answer presumably is yes, at least in theory. The fact of the matter is, Mr Speaker, that I have gone through the trouble of conducting a search at the Land Titles Registry and I have seen that practically all, I have not checked it off against the list, the Government housing estates and properties have been transferred or leased to one of the two companies that I have mentioned in my question and that alright, they have been leased back in terms that I have not yet been able to establish, because the documents are away at the binders, but it raises the spectre of what is the business of GRP Investments Company Limited that would justify exposing to creditors, housing stock which was public housing stock until the Government transferred it to a company?

HON CHIEF MINISTER:

First of all, Mr Speaker, the Hon Member did not need to do a search, he just needed to have a good memory because he asked me a question on that subject and I answered it and, in fact, I told him at the time that I was giving the explanation in the House for the fifth time but that the four previous times he had not been a Member of the House and I assumed that since he had so very little interest in politics before, he had not even bothered to tune into the radio to find out the explanation. But I did give him the explanation a fifth time so he did not need to search. All he needed to do was to remember. The second thing is I have not said that it has happened, the question is 'will I give a guarantee that it will not happen?' and I am saying that I will not give a guarantee.

HON F VASQUEZ:

Mr Speaker, I would like to put one simple question. Did the Government of Gibraltar receive any consideration for the transfer of all of these Government housing stocks out of Government ownership, going to the ownership of GRP Investments Company Limited and Gibraltar Residential Property Company Limited? Did any consideration pass from these companies to the Government of Gibraltar?

HON CHIEF MINISTER:

Mr Speaker, that is what I have explained five times already and I am now explaining it for the sixth time and although I said the fifth time that it would be the last time and the fourth time that it would be the last time, I am now saying for the sixth time. This is the last time I am explaining it because obviously the Hon Member opposite has not heard the explanation before. If the Hon Member looks in the Estimates that we have tabled today he will find that there is an item of income in the Improvement and Development Fund which is property sales and he will find that that same item of income was there in previous years. Those property sales were the transfer of property from the ownership of the Government to the ownership of the Government-owned company and the Government-owned company paid into the Improvement and Development Fund cash which was used to finance the Development Programme.

MR SPEAKER:

Next question.

THE HON P R CARUANA

Will the Government make a statement outlining the proposed functions of Gibraltar Procurement Limited and will the Government say whether that company and its employees will have access to taxpayers' files and confidential information?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, Gibraltar Procurement Ltd has been engaged to collect bad debts which had been previously dormant. As regards income tax this consists of arrears of PAYE collected by employers from their workforce but not remitted to the Tax Office as required by the provisions of the Income Tax Ordinance. The company will be provided, subject to confidentiality, with the information it requires to pursue each particular case that it is asked to act upon.

SUPPLEMENTARY TO QUESTION NO. 121 OF 1992

HON P R CARUANA:

Mr Speaker, do I understand the explanation that really the company is acting as a debt collecting agency for the Commissioner of Income Tax?

HON CHIEF MINISTER:

That is correct, Mr Speaker.

HON F VASQUEZ:

Mr Speaker, in that function as a debt collecting agency, is it only collecting arrears of tax or is it involved also in collecting tax owed now?

HON CHIEF MINISTER:

No, it is collecting arrears of tax which had been virtually given up for lost. At the moment it is tackling 1988/89.

HON P R CARUANA:

Mr Speaker, of course I accept that that is the position as the Hon Chief Minister says it. But can I then ask him why it was necessary to delegate to this company all the powers of the Commissioner of Income Tax for collection under Part 5 of the Income Tax Ordinance, which are large and wide and which

are not limited to the collection of tax arrears, in order to collect tax as agents for the Commissioner of Income Tax on a debt collecting basis? I do not think that Gibraltar Procurement Ltd needs this in the same way as a lawyer instructed by the Commissioner of Income Tax would not have needed powers to be delegated to them.

HON CHIEF MINISTER:

I agree with the Hon Member opposite but my advisers did not agree with him or with me and therefore they told me that to be on the safe side against a possible attack from the Hon Member opposite the thing to do was to put the notice in the Gazette that was put.

HON P R CARUANA:

The problem that arises from that, Mr Speaker, is that, of course, on the basis of the Regulations to be passed on the basis of the delegation, Gibraltar Procurement Ltd could substantially extend its sphere of activity, beyond the perfectly innocent point that the Hon the Chief Minister has explained and which I accept is the position today, without further instrument necessary or further publicity of any kind. That seems an excessive measure to take when the delegation of power could have been limited in the terms the Hon the Chief Minister has explained.

HON CHIEF MINISTER:

Well, Mr Speaker, I, in my innocence, assumed, when I wanted to contract Gibraltar Procurement Ltd, that I would in fact be able to do it without having to do anything else other than give it a contract but I was told that in pursuing through the Courts a recalcitrant payer, the authority of the company might be challengeable. That was the best way to protect it (I did not really mean what I said that they were protecting me against him, I do not think I need protection against him, but they were seeking to protect Procurement Ltd) against a challenge by the defaulting taxpayer. Whether it was necessary or not, I am not frankly qualified to say but if I am told that we might go through a long procedure and finish up losing the case because the lawyer defending the other side might be able to challenge, then I have to accept that it is better to be safe than sorry. But we have no plans to go beyond what I have said in the answer.

MR SPEAKER:

We cannot go into the legal merits of that now. Next question.

30.4.92

NO. 122 OF 1992

ORAL

THE HON P R CARUANA

What was the balance in each of the Special Funds as at 31st March, 1992?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, this information is not yet available.

NO. 123 OF 1992

ORAL

THE HON P R CARUANA

What was the total public debt of Gibraltar as at 31st January, 1992; 28th February, 1992, and 31st March, 1992, and in respect of the sum relating to the 31st March, 1992, how much of it had as at that date been spent?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the total public debt at the end of January, 1992, was £87,475,062. On the 28th February, 1992, it was £87,455,270 and on the 31st March, 1992, it was £87,441,058.

The receipts from public debt have been the main source of income for the capitalisation of property assets and the funding of expenditure in the Improvement and Development Fund - my sixth explanation which I just referred to, and now seventh. The question therefore of how much of the debt has been spent does not have any meaning except in this context.

A rough estimate would be that some £65m had been spent by the 31st March, 1992.

SUPPLEMENTARY TO QUESTION NO. 123 OF 1992

HON P R CARUANA:

Except in that context, if it has been spent by the Improvement and Development Fund the fact that it has been channelled in through the transfer of property does not really affect the question. What I am really getting at is how much of the money is sitting in a deposit account and not spent.

HON CHIEF MINISTER:

The difference between the £65m and the £87m.

HON P R CARUANA:

I am obliged.

MR SPEAKER:

Next question.

NO. 124 OF 1992

ORAL

THE HON P R CARUANA

What has been the estimated Gross Domestic Product in the year ended 31st March, 1992, and what part of that GDP is estimated to have been contributed by the property and infrastructure development sector and what does the Government forecast GDP will be in the year to 31st March, 1993?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, the information is not yet available.

When the Estimates for the current financial year are considered by this House I will, as is normal, give an indication of the targets for economic growth on which the Estimates are based.

30.4.92

NO. 125 OF 1992

ORAL

THE HON P R CARUANA

Does Government consider that the UK Government has a moral obligation, given the severe dislocation to our economy of her run down of military spending in Gibraltar, to provide Gibraltar with financial assistance to replace the lost economic activity and in particular to assist with labour retraining, business start-up and job creation schemes and has the Government sought such assistance from the British Government?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the Gibraltar Government does consider that the UK Government has such a moral obligation but the UK Government does not appear to hold the same view. Nonetheless the Gibraltar Government is pursuing the matter jointly with the TGWU and in the context of technical assistance for retraining programmes.

NO. 126 OF 1992

ORAL

THE HON P R CARUANA

Has the Government attempted to get the UK Government to include Gibraltar in UK Regional Aid Schemes so that Gibraltar may qualify for assistance from the European Regional Development Fund?

ANSWERTHE HON THE MINISTER FOR LABOUR AND SOCIAL SECURITY

Mr Speaker, Gibraltar has already been allowed to compete with regions in the United Kingdom for assistance from the European Social Fund for vocational training schemes. In fact, after competing with over 2,000 other applicants from UK regions, the GSLP Government was successful for the first time ever since we joined the Community, in obtaining funds from the EEC for the 3 years 1990, 1991 and 1992. To date, almost £1.7m have already been committed to Gibraltar to assist with our different training projects which attract funding from the European Social Fund. A further application for a direct wage subsidy project to assist those unemployed over 12 months and who are over 25 years of age, has also been approved for 1992 and is already in operation.

This ESF programme of assistance was envisaged to last only during the 3 years between 1990 to 1992. I am however advised that it is likely to continue and this may result in further funds being made available to Gibraltar next year.

In addition to the EEC funds we have received for our vocational training schemes, Gibraltar was also successful in attracting aid directly from EEC regional funds for a pilot project within the industrial park. Although the European regional funds are normally intended to assist depressed and underdeveloped regions within the EEC and Gibraltar cannot obviously compete, or be considered, under this category, the innovative nature of our application together with the exemplary value the project represented to other areas of the Community, made it acceptable and subsequently met with EEC approval. In this case, the amount involved is shown as income in the Improvement and Development Fund.

SUPPLEMENTARY TO QUESTION NO. 126 OF 1992

HON P R CARUANA:

Mr Speaker, my question of course dealt with the European Regional Development Fund so whilst I am grateful to the Hon Minister for his repeated expose of his Government's successes under the European Social Funds, my question did not deal with that Fund. But he did touch briefly towards the end of his answer on the European Regional Development Fund and I would ask him, by way of supplementary, whether

there has been a change to Article 3 of EEC Regulation 724 of 1975, which excluded Gibraltar. Well it did not in terms but it made it a condition of access to European Regional Development Funds that the territory was subject to a national regional development scheme and that one of the problems that Gibraltar faced at that time was that there was no regional development scheme of which we were members. Therefore, we did not qualify because the definitions under that set of Regulations of "depressed" relate also to depressed in the sense of economic reasons caused by unemployment; caused by a restructuring of the economy or a radical alteration to the economic base of the area such as happened in the coal mining areas in the United Kingdom. If as a result of the unwinding of the defence presence in Gibraltar it may very well be that we can qualify under those rules provided that the United Kingdom has included us in a regional development scheme of its own. So I do not accept that part of the Hon Member's answer which implied that we could not qualify. We could qualify in relation to severely disrupted economy as a result of the military pullout.

HON R MOR:

Mr Speaker, if I may educate the Hon Member. If he will allow me to go over these structural funds which the EEC have made available. There are three special funds. One is the one that he has mentioned already which is the European Regional Development Fund, the second one is the European Social Fund, which has to do with the training, and also there is the European Agricultural Guarantee and Guidance Fund. With those Funds the Community set itself five objectives. Objective One is to do with the development and structural adjustment of regions which are currently underdeveloped. In the case of the United Kingdom, the only region which is considered underdeveloped is Northern Ireland and we obviously cannot compete for funds unless we are compared as underdeveloped as Northern Ireland. Objective Two. The Hon Member has a point to the extent that it is to do with the regeneration of areas which have been seriously affected by any situation. I think that is where we would have the difficulty in setting a level on how seriously we have been affected by the withdrawal of the Ministry of Defence or by anything else. So, it is difficult at this stage to compete under that Objective Two. Where we have been successful is competing with the training which is covered by Objectives Three and Four.

CHIEF MINISTER:

From the same fund.

HON R MOR:

No, that is not the same fund it is a different one.

HON J L BALDACHINO:

So the Chief Minister does not know about this one!

HON P R CARUANA:

I thought that the Chief Minister would know because he is always quoting these EEC Regulations and I said one day I get up in the House and quote from an EEC Regulation as well; which I have done today. Mr Speaker, by way of further supplementary, obviously this is a matter on which there is coincidence of interest on both sides of the House. The Chief Minister has put before the House information (I think it was in the budget session of 1990 that he produced charts in green and pink and brown which I have read about in Hansard) showing the impact of the decline in military spending on the local economy. I would surmise that the impact of the military pullout or rundown to Gibraltar's economy cannot be less than the impact of the closure of a steel plant to an area in the north-east of England or a coal mine in some part. The dislocation to our economy must be sufficient to qualify within those rules otherwise it is hard to imagine what sort of region, except for one industry region, could possibly qualify.

HON R MOR:

Mr Speaker, as I was saying before, the difficulty is that, for example, if we had 2,000 unemployed (the fears expressed by the TGWU some time ago) even that would set us at a level which is probably around the average of the EEC unemployment levels. So even that would be a major difficulty for us. It would still present a difficult case to put to the EEC to attract funding.

HON P R CARUANA:

Mr Speaker, obviously I do not expect the Hon the Chief Minister here and now to explain to me why the fund is not available. The point of the question was really to highlight the possibility that a case could be made and that it ought to be made if it can possibly be put through within the rules and that we should find arguments why 10% or 14% or 15% unemployed within Gibraltar has much greater social consequence than the same percentage in a country of 45 million or 50 million people.

HON CHIEF MINISTER:

Mr Speaker, we have not got 10% unemployed. We cannot make a case saying that we want funds in case in 1993 we have 10% unemployed. That is not a possibility. Regrettably, we have to suffer the evil first before we can appeal for the cure. We prefer to avoid the evil.

MR SPEAKER:

Next question.

30.4.92

NO. 127 OF 1992

ORAL

THE HON P CUMMING

Will Government give consideration to requesting British Government aid for the building of a new Hospital?

ANSWER

THE HON THE CHIEF MINISTER

No, Mr Speaker. The British Government stopped development aid for social projects in Gibraltar in 1981 and all other aid following the opening of the frontier with Spain in 1985.

There are no prospects of development aid being resumed.

SUPPLEMENTARY TO QUESTION NO. 127 OF 1992

HON P CUMMING:

Mr Speaker, would the Hon Chief Minister agree that we need a new Hospital?

HON CHIEF MINISTER:

No, in terms of the priorities. If we had £10m from the British Government tomorrow we would find, in our judgement, more important things that need to be done with £10m than building a Hospital. We have spent several million pounds refurbishing the existing one because we came to the conclusion that it could be given an extension of life and that money was better spent elsewhere. So, in fact, if I could get any money at all, and I cannot, then the priority of the Government would not be the Hospital.

HON P R CARUANA:

Mr Speaker, will the Hon Chief Minister

MR SPEAKER:

We cannot go now into the question of whether we should have a new Hospital or not, if the Hon Leader of the Opposition is aiming at that.

HON P R CARUANA:

No, Mr Speaker, this is a pure supplementary because it arises only from the answer given by the Hon Chief Minister and I understand that that is the only genuine type of supplementary. Mr Speaker, will the Hon Chief Minister say, if he feels able to, why the British Government adopts that view in relation to development aid to Gibraltar?

HON CHIEF MINISTER:

Yes, the sustain and support policy was introduced by the United Kingdom as a consequence of the closure of the frontier and, in fact, as a result of the Conservative Government replacing the Labour Government. They first of all reduced aid for social projects like housing to 50%. When the programme started the UK Government was prepared to finance 100% of a social project. They then moved to financing 50% of the social project. So, for example, in developments like St Jago's and St Joseph's the money was only available if the Government of Gibraltar was putting an equal amount itself into things like housing. Then, they introduced new criteria which said "no more money for schools, no more money for hospitals. You can have money for a sand quarry on the basis that what we are doing is helping you to stand on your own feet". Because that was the philosophy that the development aid agency in the United Kingdom politically got directed to adopt in its disbursement of aid; they would go to the backward part of the world and educate the natives to help them to help themselves but they would not have them living off charity because that was bad for their moral fight.

MR SPEAKER:

Next question.

NO. 128 OF 1992

ORAL

THE HON H CORBY

Will Government make a statement in relation to the allegations contained in the Joint Council for the Welfare of Immigrants Report entitled "Between a Rock and a Hard Place", and what action, if any, does it intend to take as a result of this Report?

ANSWERTHE HON THE CHIEF MINISTER

Mr Speaker, as I made clear at the Official Opening of the House, the basic contention in the Report is that Moroccan workers and by implication any other non-EEC workers, should be given the right of permanent residence with the implication this has of being able to be joined by their extended families.

If there is a requirement under international law for this then such immigrant workers will only be able to remain in Gibraltar if the UK accepts the financial responsibility for such rights. Given the possibility of litigation by the authors of the Report involving the UK Government and possibly the Gibraltar Government, it is not in the public interest to comment directly on specific allegations except to say that many can be refuted and will be if the matter is raised in a court case.

Apart from that the Government continues to be committed to trying to protect those Moroccans who arrived prior to 1985 from the increased competition they are facing in the labour market. To a large extent success on this depends on how successful we are in providing enough jobs for our own people.

SUPPLEMENTARY TO QUESTION NO. 128 OF 1992

HON H CORBY:

Mr Speaker, is the Hon Chief Minister saying that he will not improve anything insofar as the Moroccan workers are concerned? That things that needed improvement like Government hostel accommodation, etc will not be dealt with at all?

HON CHIEF MINISTER:

No, Mr Speaker, if the Hon Member cares to look at the Estimates for last year he will find that one of the items of expenditure, no longer the result of an Appropriation Bill, is the upkeep of the Hostels and we took that out of the budget because, in fact, in our discussions with them we told them

what we thought was the only way we could ensure that they were getting a better return on the money that they themselves are paying. The reality of it is that if we look at the state of those Hostels, it is incredible that they should be in such a bad state and yet something like over £ $\frac{1}{2}$ m a year is collected in rent from the people who live in the Hostels. It is all spent and the Government has put money on top to subsidise it. So, in fact, it produces no return at all. The building is free and all the money is used but nevertheless the place is not properly maintained. We believe that the only way we are going to be able to knock that into shape; because, in fact, previous Governments have attempted to spend more money on it within the public sector to try and bring it up to standard and it never works; is to involve the residents of the Hostel themselves in the management of it and we would, in fact, redeploy the Government workers to other Government jobs. For this purpose we set up a Special Fund to deal with the Hostels, last year, following discussions with them and although, regrettably, very little progress has been made in that direction, we are still committed to doing that. I am pointing out that we did this a year before the Report was written so it is not that we are responding to the Report but we already recognised that there was a need to tackle that area.

HON H CORBY:

Mr Speaker, will the Hon Chief Minister also state whether he is prepared to give equal opportunities to Moroccan workers as workers who have been here, as he said, prior to 1985, in equal terms with EEC workers?

HON CHIEF MINISTER:

No, Mr Speaker, we cannot do that. The position is that in looking at the position of immigrant workers prior to our entry into the European Community in 1973, we had a situation where the Laws of Gibraltar said "you can give priority of employment to a Gibraltarian over every other nationality including a UK citizen". We had to change that in 1973 to say "all Community Nationals are equal to Gibraltarians", so there is no way we could give priority to Gibraltarians which we have been asked to do in other questions in this House. We have been asked "Can you give priority to Gibraltarians in Kvaerner?" Well, the answer is "we have to do it under Community Law". If you give equality to non-Community nationals with Community nationals then by definition you cannot give priority to Gibraltarians. The only way that you can give priority to Gibraltarians and still protect the Moroccans, who have been here a long time, if we want to, frankly, is by administrative procedures which is what everybody does everywhere in the Community and the less said about those the better.

HON H CORBY:

Thank you very much.