

GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

**13TH FEBRUARY, 1997
NO. 1 TO NO. 63**

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QUESTIONS & ANSWERS

13th February 1997

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NO. 1 OF 1997

THE HON J L BALDACHINO
(In the absence of the Hon Miss M I Montegriffo)

GENERAL MEDICAL COUNCIL - REGISTRATION

Can Government state how many of the doctors practising in Gibraltar are not registered or entitled to automatic registration with the General Medical Council?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The provisions for registration of doctors are currently contained in Sections 7 and 8 of the Medical and Health Ordinance. Those will shortly be amended to take into account EC Directive 93/16.

At the moment doctors are entitled to full registration in Part 1 of the Register if either -

- (a) they are fully registered in the medical register of the United Kingdom, or
- (b) are in possession of such Commonwealth or foreign diploma and such professional experience as would entitle them to be so registered.

Subject to S.37 it is an offence to practise medicine while being unregistered. All doctors that have been registered in Gibraltar in accordance with S.7 and practise medicine are therefore either registered or registrable in UK and by implication registered or registrable with the General Medical Council.

Government will shortly be taking steps to transpose various EC directives into local legislation and clarify certain sections of the Ordinance all of which will impact on the current registration system.

SUPPLEMENTARY TO QUESTION NO. 1 OF 1997

HON J J BOSSANO:

Other than the question of the recognition of Community and, presumably, EEA qualifications, is there in fact a difference in who is currently able to practise in the United Kingdom and who is able to practise in Gibraltar in terms of commonwealth qualifications as opposed to UK or Community ones?

HON K AZOPARDI:

There are various lists kept in the United Kingdom. When the hon Member asks is there a difference in who can practise in the United Kingdom as opposed to Gibraltar, for example in the United Kingdom there is a system of limited registration, limited in time, for which people can register in the United Kingdom for

particular specialities and practise within those specialities, they can be Commonwealth citizens or indeed they can be foreign citizens. They need not be EU citizens and that is a system of registration which is available in the United Kingdom which is not available in Gibraltar for Commonwealth or indeed non-Commonwealth citizens. Is that the answer the hon Member is looking for?

HON J J BOSSANO:

No, I am not looking at the nationality of the doctor but at the origin of the qualifications. Do we in fact, as I think has been suggested, accept qualifications in Gibraltar which would not be equally accepted in the United Kingdom, because that is the essence of the original question. I think it has been suggested that that is the case and I would like to know whether in fact it is actually correct?

HON K AZOPARDI:

No, the Medical Registration Board can only register someone if they are registered in UK or they are registrable in UK and therefore they have to have the qualifications, be it a commonwealth or UK qualification by which they would be registrable in Part 1 of the UK Medical Register. So the answer is no, that is not the case.

HON J J BOSSANO:

I think the distinction drawn, as I understand it, is that in the United Kingdom there are people whose qualifications are such that they are entitled to automatic registration which allows the competence being subjected to further testing and that that distinction is not in our own system, that is, that being registrable is then subject to the further qualification that there are those who having obtained a higher degree, for example, automatically are entitled to registration and there are those who not having obtained it may need a second qualification or at least to pass an exam which is set by the GMC. Is this the case?

HON K AZOPARDI:

It is not the understanding that I have on how the Medical Registration Board works. I understand that they ensure that people are registrable fully and indeed can be registered immediately and so there is not that suspended degree of registration. That is not my understanding.

HON J L BALDACHINO:

Am I correct in assuming and maybe the Minister can clarify, that the United Kingdom has a certain agreement with some Commonwealth countries where medical students after finishing their university career can be practising in some hospitals for a short period of time and Gibraltar falls within the same criteria as the United Kingdom for that purpose and even though once they finish, I think it is two years that they have to do general practice, then they can practise in the United Kingdom, is that correct?

HON K AZOPARDI:

I am not aware of any such agreement and indeed I cannot answer for the United Kingdom if it does have such arrangements.

HON J L BALDACHINO:

My question is, does Gibraltar fall within the same criteria as the United Kingdom? In other words, even though the United Kingdom has an agreement, Gibraltar forms part of that agreement because the United Kingdom has that agreement?

HON CHIEF MINISTER:

No, that is not the case. As the Minister for Health has already said, the laws of Gibraltar only entitle people to practise medicine in Gibraltar if they are registered in the United Kingdom, or are entitled to be registered in the United Kingdom without actually having so registered. Our understanding is that there is a system in the United Kingdom of provisional registrations and those provisional registrations may be as a result of an agreement or as a result of an exchange of medical personnel between one country and the other but those arrangements that exist in the United Kingdom for provisional medical registration do not exist in Gibraltar. That is our understanding but we have not amended our Ordinance, our Ordinance remains as it has always been and that is that you are either registered in England or entitled to be registered in England.

NO. 2 OF 1997

THE HON J L BALDACHINO
(In the absence of the Hon Miss M I Montegriffo)

GHA - IN-PATIENT ADMISSIONS, ST BERNARD'S HOSPITAL

Can Government state what was the total number of in-patient admissions and the average number of patients per day at St Bernard's Hospital in 1996?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 3 and 4 of 1997.

ORAL

NO. 3 OF 1997

THE HON J L BALDACHINO
(In the absence of the Hon Miss M I Montegriffo)

GHA - OUT-PATIENT ADMISSIONS, HEALTH CENTRE

Can Government state what was the total number of out-patient attendance at the Health Centre in 1996?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Question Nos. 2 and 4 of 1997.

NO. 4 OF 1997

THE HON J L BALDACHINO
(In the absence of the Hon Miss M I Montegriffo)

GHA - OUT-PATIENT ADMISSIONS, ST BERNARD'S HOSPITAL

Can Government state what was the total number of out-patient attendance at St Bernard's Hospital in 1996?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The number of in-patient admissions at St Bernard's in 1996 was 4165. The average number of patients per day was 101.

The total out-patient attendances at the Health Centre in 1996 was 85,768 and at St Bernard's the figure was 52,805. This last figure excludes attendances by visiting consultants for which there is no specific figure other than the approximate total of about 3,000 attendances.

NO. 5 OF 1997

THE HON J GABAY

ALLOCATION OF AREA FOR SKATING ENTHUSIASTS

Will the Government consider the allocation of a suitable area for the use of young skating enthusiasts?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Government are aware that there is demand for this leisure activity and are considering the possibility of this.

SUPPLEMENTARY TO QUESTION NO. 5 OF 1997

HON J GABAY:

Given the increasing number of children that have taken up this form of sport, on grounds of safety and good order, should not a suitable venue be found with some degree of urgency and has the Minister not realised that there is concern on the part of parents and that this concern has been reflected in letters in the press? Furthermore, has the Minister not witnessed children skating in all directions in our streets and alleyways and become conscious of the serious risk of injury as they often weave their way through traffic and turn blind corners?

HON K AZOPARDI:

Both children and not so children. I take it that the hon Member is referring to what they call now roller-blading. I think that is the current fad. It is precisely because of that and indeed because of the programme on GBC the other day on roller-blading that we have realised that there is a demand for this activity and this is precisely why we say that we are considering the possibility of doing this. The hon Member cites a degree of urgency and of course that is a consideration that we will bear in mind, the danger. Of course space is at a premium, and that is also a factor that we will have to consider. I accept the hon Member's concern, that is precisely what has driven the Government to consider this possibility

NO. 6 OF 1997

THE HON J L BALDACHINO
(In the absence of the Hon Miss M I Montegriffo)

GHA/MOD - SECONDARY MEDICAL HEALTH CARE

Can the Minister for the Environment and Health state whether his discussions with the MOD in respect of the provision of secondary medical health care by the GHA to them have now finished?

ANSWERTHE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

No, they have not.

SUPPLEMENTARY TO QUESTION NO. 6 OF 1997

HON J J BOSSANO:

At the last meeting of the House where a similar question was tabled the Minister said that it was at a very preliminary stage and that hardly any meetings had taken place at that time. Can he say how much further they have advanced since then?

HON K AZOPARDI:

Since my last intervention in the House we have moved rather more quickly than we had at that stage and so discussions are far more advanced than they were then but I would anticipate that a final conclusion would not happen for several months. I think that is the stage we are at, there are a lot of loose ends to be tied up and there are a lot of matters to be discussed and finalised so we are more advanced than we were but we are not near what I would term final agreement.

HON J J BOSSANO:

Can the Minister say whether in fact a policy decision has been taken that this is something the GHA wants to do?

HON K AZOPARDI:

The fact that we are in discussions means that GHA considers it an interesting possibility. When terms are discussed which are mutually acceptable then the Government will consider, as a matter of policy, whether to put that possibility into effect in the same way as presumably the previous administration considered it an interesting possibility and that is why discussions were ensuing between the MOD and the previous administration, I think the situation is exactly the same.

HON J J BOSSANO:

Previously the MOD was planning to set up what they called a cottage hospital pending whether there would be an eventual arrangement to replace it or not. Is that still the case?

HON K AZOPARDI:

They tell me in their discussions that that is still a possibility for them, yes.

NO. 7 OF 1997

THE HON J L BALDACHINO
(In the absence of the Hon Miss M I Montegriffo)

GHA - LEWIS STAGNETTO WARD

Have Government now taken a decision as to whether Lewis Stagnetto Ward will remain in the private corridor?

ANSWERTHE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Lewis Stagnetto Ward is currently in private corridor because of refurbishment works. No decision has as yet been taken in relation to the question that the hon Member poses.

SUPPLEMENTARY TO QUESTION NO. 7 OF 1997

HON J J BOSSANO:

Can the Government say when a decision will need to be taken because the refurbishment works will be completed and therefore either it will have to move or not move?

HON K AZOPARDI:

Not for some time, because as the hon Member knows and as I described in previous attendances here before the House, it is not just a question of refurbishing what was Lewis Stagnetto Ward. The old Lewis Stagnetto Ward is now occupied by the temporary kitchen, so there is a degree of refurbishment to the kitchen, then there will be a degree of refurbishment to Lewis Stagnetto, so I anticipate several months can go by without a decision being taken. The reason a decision has not been taken is that there is no degree of urgency and also because only last week representations were received from the John Mackintosh Trust that the John Mackintosh Wing was built in accordance with Clause 22 of the Will and that that envisaged part of that building to be used for private paying patients and they are making representations that that ward can only be used in accordance with the terms of the Will. I have not had time to take advice on that matter.

HON J L BALDACHINO:

Even though the decision has not been taken, one of the considerations of the Minister whether it will be a private ward or not will be considered once he gets the advice of the representations made by the Trust, if that is correct, then obviously he will have to take that into consideration once he makes a decision, is that correct?

HON K AZOPARDI:

Yes, the hon Member is correct in his analysis.

NO. 8 OF 1997

THE HON J L BALDACHINO
(In the absence of the Hon Miss M I Montegriffo)

GHA - RELOCATION OF HEALTH CENTRE

Can Government say whether they are considering moving the Health Centre to the ICC building?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

As indicated in answer to previous questions in this House, Government are considering the possible relocation of the Health Centre. Several options exist and while Government have not fully evaluated these, the move to the ICC is one.

SUPPLEMENTARY TO QUESTION NO. 8 OF 1997

THE HON J C PEREZ:

Is this as a result of proposals being put to the Government or is it an initiative of the Government themselves to look at that site?

HON K AZOPARDI:

In respect of the ICC those proposals have been made to the Government. Government are considering whether that is an interesting move in relation to several factors, obviously, cost; ease of the move; convenience to the patients; access; etc as indeed we are applying those factors in relation to the other proposals

HON J C PEREZ:

Can the Minister state how many options the Government are considering at the moment?

HON K AZOPARDI:

At the moment we have three, including the ICC.

NO. 9 OF 1997

THE HON J L BALDACHINO

ETB - VOCATIONAL CADETS

Can Government state how many vocational cadets were in employment with the ETB at the end of May 1996?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND TRAINING
AND BUILDINGS AND WORKS

Vocational cadets in employment at the end of May 1996, were 409.

SUPPLEMENTARY TO QUESTION NO. 9 OF 1997

HON J L BALDACHINO:

Can the Minister state if I am correct that the 409 are allocated with private companies or some of them are under different training? Can the Minister confirm if the 409 are all trainees with private companies?

HON J J NETTO:

Yes, I do confirm that.

HON J L BALDACHINO:

Do these vocational cadets include the people in the Training Centre? Are those taken apart from the 409 or are they also part of the 409?

HON J J NETTO:

Actually, I am not sure whether the ones in the Construction Training Centre in New Harbours fall within the 409 but I can find out and pass that information to him if he so wishes.

HON J L BALDACHINO:

While he gets that information or if he has the information now, those trainees that were taken by the MOD, can he also find out if they are part of the 409 or are they apart of the 409?

HON J J NETTO:

Equally the same, as I said before I can find out and pass the information to the hon Member.

HON J L BALDACHINO:

Seeing that the Minister is now giving me this type of information, could he pass on the information of other trainees who do not form part of the 409?

HON J J NETTO:

Yes, I will do.

NO. 10 OF 1997THE HON J L BALDACHINO

ETB - VOCATIONAL CADETS

Can the Government state how many vocational cadets have terminated their employment with the ETB each month since 1 June 1996?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND TRAINING
AND BUILDINGS AND WORKS

The number of cadets who have terminated their employment with the ETB each month since 1 June 1996 is as follows:

June 1996	-	57
July 1996	-	52
August 1996	-	74
September 1996	-	73
October 1996	-	54
November 1996	-	39
December 1996	-	20
January 1997	-	40

Vocational cadets who have terminated their employment have done so by at least three ways:

- (a) at own request
- (b) at request of sponsoring employer
- (c) and taken into employment by sponsoring employer.

SUPPLEMENTARY TO QUESTION NO. 10 OF 1997

HON J L BALDACHINO:

Does the Minister have the information with him how many, percentage-wise, have been employed?

HON J J NETTO:

I can give him the information to this question in relation to his previous question, which is the question, how many cadets were in employment at the end of May 1996. There are, according to our records in the ETB, seven different types that fall within the 409 figure. The number of cadets under the ETB contract on given dates and are still cadets today is 143. The number of cadets under ETB contract on given dates and have been terminated whilst still cadets is 159. The number of cadets under ETB contract on given dates and were fully employed for less than three months is seven. The number of cadets under ETB contract on given dates

and were fully employed for three to six months is three. The number of cadets under ETB contract on given dates and were fully employed between six to 12 months is one. The number of cadets under ETB contract on given dates and were fully employed for more than 12 months is nil. The number of cadets under ETB contract on given dates and are fully employed to date is 96.

HON J L BALDACHINO:

Am I to understand then that the Minister does not know, percentage-wise, or his department does not know, how many of the cadets who terminated found employment?

HON J J NETTO:

I have not got the figures in terms of percentage now. I can tell you that prior to the question by the Opposition Member there was not even a computer programme to extract information from our records but this has been done. If he wants the information again in terms of percentage, I can gather it in percentages.

HON J L BALDACHINO:

Would the Minister once he gets it pass it on to me?

HON J J NETTO:

No problem.

NO. 11 OF 1997THE HON J L BALDACHINO**ETB - VOCATIONAL CADETS**

Can Government state how many vocational cadets have been engaged by the ETB in each month since 1st June 1996?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND TRAINING
AND BUILDINGS AND WORKS

Vocational cadets engaged each month since 1st June 1996 are:-

June	-	42
July	-	49
August	-	21
September	-	69
October	-	57
November	-	22
December	-	12
January	-	20

SUPPLEMENTARY TO QUESTION NO. 11 OF 1997

HON J J BOSSANO:

Given that the implication of the figures is, in fact, that more people have been completing as opposed to those starting, is it that there has been an insufficient demand from employers or an insufficient supply from those registered in the ETB?

HON J J NETTO:

At the moment what the new administration, the GSD Government have been doing is continuing the programmes as they were initiated by the previous Government. That is not to say that the Government are satisfied that the actual vocational cadet system, as it was originally intended, is an ideal situation that leads to cadets in full employment and it is for this reason that the Government are intent on reviewing the actual quality of the training and the actual leading to full employment of the cadets and in due course, once the Government have reviewed the position, then we will come to the House and make changes to the current system.

HON J J BOSSANO:

It is all very interesting but it is not the question that I asked. The question that I asked is, if 57 people finished in June and 42 started, was it that there was only a demand for 42 because what it shows is that between June and January this year more people have completed than have been taken on and I want to know whether,

in fact, it is that the employers have not been asking for more cadets and that is why more have not been taken on or is it that employers have wanted to take on more cadets but the people that they were looking for were not available, which of the two?

HON J J NETTO:

On the whole it has been a question of demand.

HON J J BOSSANO:

I take it that means insufficient demand, that is that more people have not got into the scheme because they have supplied those who have wanted and there has not been a demand for more?

HON J J NETTO:

That is right.

NO. 12 OF 1997THE HON A ISOLA**CANCELLATION OF SCHEDULED FLIGHTS**

Will Government state how many scheduled flights to Gibraltar have been cancelled in January 1997 other than due to bad weather, and are they aware of any further cancellations for February or March 1997?

ANSWERTHE HON THE MINISTER FOR TOURISM, COMMERCIAL AFFAIRS
AND THE PORT

There were five scheduled flights cancelled from London to Gibraltar in January 1997. Government expect four scheduled flights to be cancelled in February 1997 and six scheduled flights to be cancelled in March 1997.

SUPPLEMENTARY TO QUESTION NO. 12 OF 1997

HON A ISOLA:

Bearing in mind that flights on a scheduled service as opposed to a charter service are there with a degree of certainty, in other words, people can plan and book their flights on given dates, are Government aware of any reason as to why these scheduled flights have been cancelled so far ahead?

HON J J HOLLIDAY:

My understanding is that it is quite common that during this part of the year scheduled flights are cancelled. I take the hon Member's point but if one uses January 1997 as a point of reference when comparing with January 1996, the actual number of seats available increased by 7.7 per cent. So the actual availability of flights to Gibraltar from London has increased even though there were three cancellations in January. Obviously, February and March, it remains to be seen what the effects will be at the end of the day.

HON A ISOLA:

Notwithstanding that and I do not dispute the figures that the Minister has quoted, do Government believe that it is prudent for scheduled operators to cancel scheduled flights because obviously these announcements have not been made public and therefore there may even be people today, bona fide tourists, booking flights to come to Gibraltar for those days in February or March and they are only told at very, very short notice that those flights in fact are cancelled. Most people who have booked their flights with anticipation are not aware until very late that those flights are in fact not coming. Is the reason for the cancellation of the flights that there are only 20 or 30 people booked and so what happens to those 20 or 30 people?

HON J J HOLLIDAY:

My understanding is that those scheduled flights that were actually cancelled had less than 20 passengers on those flights booked. In fact, those passengers were contacted and compensated accordingly and alternative arrangements were made with no detrimental effect to the people concerned.

HON A ISOLA:

Mr Speaker, 20 people were contacted and compensated and everything else but what are they told? They have obviously been allowed to book a flight. Are people today booking flights for February and March which without them knowing are going to be cancelled at a later date? Are Government satisfied that a scheduled carrier can cancel a scheduled flight because there are few people on that is a charter service not a scheduled service?

HON J J HOLLIDAY:

I understand the point the hon Member is making but it is common in the industry for this to happen. It is not something that one encourages obviously and one would not like to see it happen but it does happen and it is a commercial decision that has to be taken by the airline.

HON A ISOLA:

I accept it is a commercial decision, my only question is will Government, bearing in mind we only have one carrier at the moment although Monarch is coming in shortly, take steps to express their view to the carrier that whenever possible scheduled flights should continue notwithstanding obviously commercial considerations, but it cannot be the preference to allow a schedule operator to cancel flights simply because of low factors?

HON J J HOLLIDAY:

I can assure the hon Member that I have been in contact with the airline and I am fully briefed on the situation. But at the end of the day it is a commercial decision that has to be taken notwithstanding the need to offer this service on a regular service between London and Gibraltar.

NO. 13 OF 1997

THE HON J L BALDACHINO

AIR TERMINAL - REFURBISHMENT WORKS

Are Government aware how many Gibraltarians are employed on the refurbishment works at the air terminal?

ANSWER

THE HON THE MINISTER FOR TOURISM, COMMERCIAL AFFAIRS
AND THE PORT

There are six Gibraltarians employed in the air terminal refurbishment project, one of these as a sub-contractor.

SUPPLEMENTARY TO QUESTION NO. 13 OF 1997

HON J L BALDACHINO:

And how many non-Gibraltarians are working, is the Minister aware?

HON J J HOLLIDAY:

Yes, I am aware. Other workers involved are three British, three Spaniards, and two Moroccans.

NO. 14 OF 1997THE HON A ISOLA**HOTELS - AID PACKAGE**

Have Government concluded their aid package for the hotel industry, and if so, what does it consist of?

ANSWERTHE HON THE MINISTER FOR TOURISM, COMMERCIAL AFFAIRS
AND THE PORT

The Government invited submissions from the hotels with a view to providing aid for the industry. These submissions are presently being studied and an aid package will shortly be discussed with each of the hotels.

The package is composed of a series of elements, not all of which are necessarily applicable to all hotels. The possible components of the package are as follows:-

- (a) A waiver on import duty on products imported into Gibraltar for the refurbishment and/or upgrading of hotels;
- (b) A reduction in rates and electricity and water charges;
- (c) Grants, for projects to be jointly funded by hotels, for immediate refurbishment;
- (d) Soft loans repayable over a period of time for the purpose of development of new facilities;
- (e) Financing of a training package for hotel staff;
- (f) Freezing of arrears in respect of electricity, water and general rates charges, and negotiation of a package to provide for a gradual repayment of these arrears.

SUPPLEMENTARY TO QUESTION NO. 14 OF 1997

HON A ISOLA:

Have Government an estimate that they have concluded in an impact study of the cost to Government of all these measures for the hotels?

HON J J HOLLIDAY:

The current situation is that these submissions have now been accepted by Government. They are being considered. I have already made arrangements to meet the hotels individually during week commencing 4th March and between now and then I will obviously have a full analysis of the cost and impact that this will have on Government funds. I cannot really confirm any details today.

HON A ISOLA:

If the submissions have been accepted as the Minister says, does he not know what the cost is at this stage?

HON J J HOLLIDAY:

What I mean by accepted means that I have received them, it does not mean that I have accepted their proposals.

HON A ISOLA:

Will Government consider extending these facilities to any other businesses which may have similar difficulties to those which are facing the hotel industry today?

HON J J HOLLIDAY:

Our priority at the moment is obviously the hotel industry. We have not had representations from any other sector although we do realise that there are some sectors in the private sector that are under severe pressure but this will form part of an overall package of measures which was recently announced by the Chief Minister and will form part of our assistance to the private sector in order to generate economic activity.

HON A ISOLA:

The grant which I think was item (c) that the Minister referred to, what is that? Is that a gift, it is a non-repayable grant, I assume?

HON CHIEF MINISTER:

Well, yes, that is what the word grant means. A grant is what is given out by many Governments throughout Europe. It is a non-repayable contribution by the Government to the creation of infrastructure for the generation of economic activity. The hon Member must be aware this is quite common.

HON A ISOLA:

I just wanted to be sure.

HON J J BOSSANO:

Whilst not being able to say accurately what is the likely cost, can an indication be given of the order of cost? Are we talking about something that is in the range of £1 million plus or something that involves a few thousand pounds?

HON CHIEF MINISTER:

No, the first of the two ballparks described by the Leader of the Opposition is more accurate. We are not talking about thousands, we are talking about millions.

HON A ISOLA:

Have the Government any indications of what amount they are prepared to give in grants, is there a ceiling or does it simply depend on the proposals that they receive?

HON CHIEF MINISTER:

The Minister for Tourism is dealing with each hotel separately on the basis of the particular needs of each hotel in order that the hotel industry, as a whole, can respond to the needs of the Government's broader policy to deliver a viable and successful tourism industry. There is therefore not a blueprint for each hotel. The Minister is looking at the needs of each hotel separately and he will devise, for each hotel, a cocktail of measures which will be a mixture of grants, soft loans and other form of assistance as in this list and he will devise, for each hotel, the package of supporting measures that he thinks that hotel needs consistent, of course, with the parameters of the Government's policy in relation to this matter. So it is not possible at this stage for the Government to give an indication of what relative weighting will be given to the various different components of the package. I can certainly tell the House that the Government sees this element of our policy as vital to the success of Gibraltar's tourism industry which as they know the Government consider to be important to the general economic future of Gibraltar.

HON J C PEREZ:

Since the Minister for Tourism said that one of the elements would be a reduction in water, are we to understand that that reduction in water will come about as a result of the Government making good in cash that reduction to the water company or is it that the Government are intending to convince Lyonnaise des Eaux to reduce their rates and their tariffs to the hotel industry?

HON J J HOLLIDAY:

That is correct, yes. The Government will have to be subsidising part of it, we will not be making Lyonnaise des Eaux adjust their rates according to our needs.

HON J C PEREZ:

So really that could be construed as an addition to the direct grant that is given to the hotels because it would cost the Government money directly and it would add to the cost of direct cash that the Government need to put out. Can the Minister state whether this is true as well of water arrears since the company commenced operations in Gibraltar?

HON CHIEF MINISTER:

The Government's proposals at this stage in relation to water and other arrears, not just water, electricity for example and rates, are to draw the line and convert them into a schedule repayment situation. In respect of how the Government deliver the subsidy on municipal costs to the industry, the Minister for Tourism has described what the Government see it at present as the most likely means of delivering the aid but there is a second possibility and that is that Lyonnaise des Eaux may be asked, it is a possibility which we have not considered but it exists as a possibility, to reduce the water tariff payable by hotels simply to the ordinary commercial tariff. Our understanding at the moment is that the hotels pay a higher rate for water. If that were to be the case then the Government would certainly ask Lyonnaise to reduce it to the ordinary commercial tariff but we certainly would not ask Lyonnaise, and this is what the Minister confirmed, to subsidise any reduction for hotels below the normal commercial tariff.

NO. 15 OF 1997

THE HON A ISOLA

TOURISM MINISTRY - NEW POSTS

What new posts, if any, does the Minister for Tourism expect to create at senior level within the Tourism Ministry and what will the responsibilities and terms of employment of such posts be?

ANSWER

THE HON THE MINISTER FOR TOURISM, COMMERCIAL AFFAIRS
AND THE PORT

Government do not intend to create any further posts at senior level within the Ministry of Tourism.

SUPPLEMENTARY TO QUESTION NO. 15 OF 1997

HON A ISOLA:

Is the Minister referring me to yesterday's Chronicle which tells us that the Gibraltar Development Corporation for the Gibraltar Tourist Board, as it is now known, intends to employ, are these the only positions at a senior level that the Tourism Ministry is intending to create? In other words, the ones of yesterday, are there any others within the Development Corporation or Tourism Ministry?

HON J J HOLLIDAY:

I think it is important to differentiate between the Ministry of Tourism and the Gibraltar Tourist Board. The Ministry is the policy unit; the Board deals with putting policies into effect. The process has now begun to recruit three senior officials for the Gibraltar Tourist Board: a Commercial Director of Tourism, a Product Manager and a Marketing and Sales Manager. The employees of the Gibraltar Tourist Board will be offered contracts of employment for the Gibraltar Development Corporation, they will not be civil servants.

HON A ISOLA:

Does the post of Commercial Director of Tourism also contain a package for accommodation?

HON J J HOLLIDAY:

If one reads the advertisement yesterday there is a salary guidance and it is said to be negotiable and obviously it will depend on the individual applicant as to what the requirements of the package will be.

HON A ISOLA:

Has the Gibraltar Development Corporation or the Tourist Board opened these vacancies or do they intend to open these vacancies anywhere other than the Chronicle where it was advertised yesterday?

HON J J HOLLIDAY:

The post for Commercial Director of Tourism as advertised in the Gibraltar Chronicle yesterday will also be advertised in the UK next week.

HON A ISOLA:

Does the Minister have anybody in mind or do Government consider any people for these positions at this stage or are they simply awaiting applications?

HON J J HOLLIDAY:

I can confirm that there have been a number of people who have expressed interest in applying for the post. Government do not have anybody earmarked for the post and obviously all applicants will be considered at the time of selecting the person for the post.

HON A ISOLA:

Do Government have any indication of what term contract they would intend to give these three posts, will they be short-term in the sense of a year or three years, what term are they looking at?

HON J J HOLLIDAY:

The contract would be for a three-year period.

HON J C PEREZ:

Can the Minister state whether the Government have entered into a commitment with the Civil Service Union that after those three years these posts might become available within the civil service?

HON CHIEF MINISTER:

The Government have not entered into any such commitment with the civil service or any other union.

HON J C PEREZ:

Can the Minister state whether there have been objections by the Civil Service Union that these posts should come outside the civil service and whether any negotiation or agreement has been arrived at to the effect that they are in agreement that these posts should come out?

HON CHIEF MINISTER:

The GGCA has expressed its traditional view on recruitment from outside the service, namely that in principle it is against that. The Government have, as we have done since we arrived in office, engaged the unions in regular dialogue and during that dialogue have sought to persuade the GGCA that this particular need for commercial expertise does not breach the principles that the unions seek to defend when they advocate their historical view. I am happy to say that in the interests of the economic prosperity of Gibraltar, the unions have demonstrated exemplary responsibility and have indicated that they will not oppose the Government in the recruitment of these and a number of other posts in other areas of economic activity, which the Government have given details of to the GGCA, and some of them arise, for example, in the Ministry of Trade and Industry; we have given a list of the areas where we think commercial expertise is necessary to develop the economy and where that commercial expertise is not available within the public service at the moment and I am happy to say that the GGCA has, as I say, with exemplary responsibility accepted those views of the Government.

HON J C PEREZ:

But is it not the case that the view has been put to the Government that there might be people within the service who could be trained and that therefore options should remain open for the foreseeable future for people to be trained and be able to take over those posts once the three year contracts of the people recruited has expired?

HON CHIEF MINISTER:

Nobody has argued to the Government that there is anybody within the much reduced public service today with the necessary commercial experience in the tourism industry to develop and implement a comprehensive and coherent tourism policy. No one has argued that, it is unarguable, the hon Member must know there is no such expertise and what is more, the commercial expertise and experience that this Government require in order to develop and implement our tourism policy, cannot be acquired in three years by a civil servant.

HON A ISOLA:

Will Government consider, certainly in respect of the Product Manager where the products they are looking at are wholly localised, there is not a great deal somebody else or that somebody cannot learn within three years in respect of those tasks, will Government consider once the appointments have been made, appointing somebody locally as an understudy to be in a position in three years time to take that job on if at that time they are able to do it?

HON CHIEF MINISTER:

If the hon Member had listened carefully to the last answer given by the Minister for Tourism he would have noticed that the advertisement that was going to take place in the United Kingdom was in respect of the Commercial Director. The hon Member should therefore not assume that the two subsidiary posts of Managers underneath him will not be locals. Indeed, the Government's policy is, insofar as possible, to localise all posts provided that the expertise is available. Certainly the Government will take all steps possible to ensure that local people have the training opportunities

to aspire to whatever limited number of posts the Government may think are needed to be recruited from abroad. So, yes, it is highly probable that the Product Manager and the Marketing Manager will be recruited locally and if any of those eventually develop the skills to be Commercial Directors then by all means they can aspire to hold that post at some time in the future.

HON J J BOSSANO:

Can I ask whether the actual staff that will be provided, presumably to these new Managers, are going to be employees also of the Gibraltar Development Corporation and consequently recruited from outside the service?

HON J J BOSSANO:

The Opposition party's new-found enthusiasm for recruitment from within the public service is admirable but will come as something as a surprise to many people listening to the Leader of the Opposition. The Government have a commitment that with one or two minor exceptions, minor in numerical terms, nobody that is presently performing a function will lose their jobs. There are people presently employed by the Gibraltar Information Bureau Limited, which the Government are in the process of winding-up, providing tourism functions. They will continue to provide those tourism functions through the Gibraltar Development Corporation and therefore the vast majority of the people presently supporting tourism in Gibraltar through the Gibraltar Information Bureau, will be retained. Any additional recruitment that may be needed by way of specific secretarial or logistical support to these three new Managers, if indeed it is needed, could be recruited either through the Gibraltar Development Corporation or through the Ministry of Tourism, that is not a matter upon which the Government have made a policy decision. But I can tell the hon Member what the Government's general policy decision is because he has heard us advocate it over many years and that is that wherever possible recruitment should be through the public service and not through parallel structures.

HON J J BOSSANO:

Since I am seeking information and not expressing enthusiasm, can he tell me whether in fact what he is saying is that it is possible that there will be in the same function a mixture of civil servants and non-civil servants, based on what he has just said?

HON CHIEF MINISTER:

The answer to that is no. That is a position that the GGCA shares with the Government, in other words, that we do not think it is appropriate that there should be a cocktail of people working within the same unit some of whom are civil servants and others of whom are not, and that is precisely the reason why the Government have not yet been able to make a firm decision as to how future recruitment will be undertaken because the possibility would arise of mixing civil servants with non-civil servants. That is an issue that remains for the Government to discuss and agree with the GGCA; it does not arise at present, when it does arise we will come to some agreement with the GGCA which saves everybody's interests in principle.

NO. 16 OF 1997

THE HON A ISOLA

TOURISM ADVISORY COUNCIL - MEETINGS

On what days has the Tourism Advisory Council met and has it made any proposals to the Minister for Tourism?

ANSWER

THE HON THE MINISTER FOR TOURISM, COMMERCIAL AFFAIRS
AND THE PORT

The Tourism Advisory Council was set up on 24th October 1996. It has met on three occasions: on 24th October 1996, 19th November 1996 and 6th February 1997. There were no meetings in December as a result of other important commitments and the Christmas break. The next meeting of the Council is scheduled for 27th February 1997.

The Council was charged with advising me on the priorities I should address with regard to tourism. Fruitful discussions led me to decide that the entry points to Gibraltar should be substantially improved to ensure that the first and last impressions of Gibraltar should be favourable. To this end, a refurbishment programme for the air terminal has commenced. I will shortly be announcing the beautification plans for the North Mole, from the Cruise Liner Terminal to Waterport.

The Council has also considered options to beautify the land frontier with Spain and the development of the new Coach Park Terminal. A number of proposals have been made in this respect.

Other areas brought to my attention by the Council include traffic and parking and possible initiatives to ensure Gibraltar benefits from the Ryder Cup in September 1997. Consideration has also been given to various strategies to increase the number of overnight visitors to Gibraltar.

The way in which the Council works is to address a particular issue, and action results from the discussions. This Council will not degenerate into a talkshop.

SUPPLEMENTARY TO QUESTION NO. 16 OF 1997

HON A ISOLA:

Has the Tourism Advisory Council set up representative specialised committees to include travel agents, hoteliers, taxi representatives and restaurateurs as was announced on 24th October 1996 and, if so, when will these be set up bearing in mind the Council is appointed for one year only?

HON J J HOLLIDAY:

I think the hon Member has misinterpreted what was announced on the 24th October 1996. What I announced on the 24th October 1996 was that the Tourism Advisory Council was an advisory body to advise me precisely on particular issues. What I announced was that there would be other sub-committees that would be formed but these would be under the Tourist Board's structure headed by the Commercial Director of Tourism. These committees will not come under the Tourism Advisory Council.

HON A ISOLA:

On the 24th October the Government Press Release said that: "The formation of the Council will be followed by the setting up of representative specialised committees to include travel agents, hoteliers, taxi representatives and restaurateurs amongst others to advise the Commercial Director for Tourism once appointed". Are those committees going to be held until the post of Commercial Director is actually filled?

HON J J HOLLIDAY:

That is correct.

NO. 17 OF 1997

THE HON A ISOLA

TOURISM - ESTIMATE EXPENDITURE

Can Government state how much of the £800,000 provided in Head 13, Subhead 14 has been spent on tourism in the current financial year and up to what date?

ANSWER

THE HON THE MINISTER FOR TOURISM, COMMERCIAL AFFAIRS
AND THE PORT

The total amount spent in Head 13, Subhead 14 to date has been £858,000. Of this, around £720,000 has been spent on tourism and related activities. In addition, a total of £110,000 has been spent on tourism representation and conferences but charged to Treasury Head 16(8) Representation Overseas and Head 16(9) Promotions/Conferences. This gives a total expenditure on tourism and related activities of £835,000.

NO. 18 OF 1997

THE HON R MOR

SOCIAL SECURITY - INSURANCE CARDS

How many of the social insurance cards issued in 1996 have been renewed in 1997?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

As at 7th February 1997, 8,000 social insurance cards that were issued in 1996 have been renewed.

SUPPLEMENTARY TO QUESTION NO. 18 OF 1997

HON J J BOSSANO:

Can the Minister confirm that this, in fact, means that there are still something like 4,000 that are awaiting renewal because there are something like 12,000 in issue normally?

HON H CORBY:

Yes, I have here the statistics for people in employment and the returning of cards since 1994 and it is in the region of 11,972 and that is the latest I have on statistics.

HON J J BOSSANO:

My question is, of the cards that were in issue, say, in December and which therefore require renewal in January, if 8,000 have been renewed that means we are talking about two-thirds having been renewed and there is still one-third to come, is that the case?

HON H CORBY:

Yes, that is correct. The answer to the question said 7th February, some must have come in subsequent to that date. Let me say, and the hon Member must know, that when social insurance cards are returned these are placed in alphabetical order and then posted into individual records. Once this is done lists are produced and letters sent to the people who have not complied with the law. It is regretted that due to the inspectorate section which was abolished in 1990, there was no follow-up whatsoever insofar as that is concerned, it was only through letters and people coming in and making arrangements to pay either in instalments or otherwise. The Government are now looking to rectify this deficiency by introducing the inspectorate again and we are also studying what we can do if that does not work in order to make people comply with the law.

HON J J BOSSANO:

What is the position of people whose cards have not yet been renewed? Are they currently insured or not?

HON H CORBY:

People who have not brought in their insurance cards, we pursue that through letters. If a person comes in and the employer has not sent in the insurance cards and the person has proof that he has paid the insurance that is taken into account insofar as social security is concerned.

HON J J BOSSANO:

I am well aware of that. My question is, in the process of renewal of the cards, what is the position of the people who are still working but whose card has not been renewed? Are they considered to be insured or not insured until the card is renewed?

HON CHIEF MINISTER:

The position is, and it has been since 1953 when the Social Insurance system began and as it has been during the last eight years when the hon Member was in Government. It has never been the case in Gibraltar that employers rush on the due date to exchange their cards and he knows what the practice of the administration is in respect of that matter. The practice has not changed, it is the same practice that he administered for eight years.

HON J J BOSSANO:

Yes, but presumably since I have been 25 years in politics then according to the philosophy of the Chief Minister I should say nothing for four years because I know all the answers. That does not deprive me of the right to see if he knows the answers and that is why I am asking the question. So is it the case that those whose cards have not been renewed in January are, in fact, covered by the Social Insurance or not until the card is renewed, which is it?

HON CHIEF MINISTER:

The object of Opposition questions is for the hon Member to glean from the Government information that he does not know and that he needs. It is not to cross examine the Government Ministers to determine their personal level of knowledge. If that is what he thinks Opposition questions are for then he is mistaken.

HON J J BOSSANO:

If I were to put questions by the standards established before May then they would all be like that but, in fact, I think the Chief Minister is wrong in that I may have information which is not public and what the rules say is that I should not put a question if the information is public. The fact that I know the information personally is neither here nor there. So is it a fact that people whose cards have not been renewed so far in January are covered or not covered?

HON CHIEF MINISTER:

The hon Member knows that the practice of the administration is that people whose cards have not been renewed so far in February are still covered.

NO. 19 OF 1997

THE HON R MOR

SOCIAL SECURITY - SELF-EMPLOYED INSURANCE CARDS

Following the Government's answer to Question No. 151 of 1996, what is the number of self-employed social insurance cards issued since then broken down as follows:

- (a) Gibraltarians
- (b) UK nationals
- (c) other EEC
- (d) non-EEC?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Following from Question No. 151 of 1996, 12 new self-employed social insurance cards have been issued. This can be broken down as follows:

- | | | | |
|-----|---------------|---|-------------------------|
| (a) | Gibraltarians | - | 5 |
| (b) | UK nationals | - | 6 |
| (c) | other EEC | - | 1 |
| (d) | non-EEC | - | <u>Nil</u>
<u>12</u> |

NO. 20 OF 1997

THE HON R MOR

PRISON - NUMBER OF INMATES

What is the current number of Gibraltarian inmates and other nationalities held in prison?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

On the 7th February 1997, the number of prisoners held at the prison stood as follows:

(a)	Gibraltarian	11
(b)	British	5
(c)	Spanish	3
(d)	Moroccan	3
(e)	French	1
(f)	Russian	2

SUPPLEMENTARY TO QUESTION NO. 20 OF 1997

HON R MOR:

Are the two Russians still part of the original five Russians who were held here because of lack of papers?

HON H CORBY:

No, the Russians are detainees awaiting deportation being held on the strength of a warrant issued by His Excellency the Governor pursuant to Section 59(1) of the Immigration Control Ordinance.

HON R MOR:

But the question is are they two of the five that were held under precisely that rule before?

HON H CORBY:

Yes.

HON CHIEF MINISTER:

They are two of the seven, the others being on day parole terms.

NO. 21 OF 1997THE HON J L BALDACHINO**GOVERNMENT HOUSING - ESTIMATE EXPENDITURE**

Can Government state the total expenditure to the end of December 1996 on the refurbishment of Government Housing Head 101, Sub-head 2, Improvement and Development Fund and the estimated amount that will be spent to the end of March 1997?

ANSWERTHE HON THE MINISTER FOR EMPLOYMENT AND TRAINING
AND BUILDINGS AND WORKS

Expenditure on the refurbishment of Government Housing Head 101 - Subhead 2, Improvement and Development Fund up to 31 December 1996 was £1,644,242.

The forecast out-turn up to the end of the financial year, 31 March 1997, is £1,928,500.

SUPPLEMENTARY TO QUESTION NO. 21 OF 1997

HON J J BOSSANO:

Is the refurbishment work being done currently on some kind of contracted basis with the direct labour on the basis that they have an incentive for doing a certain level of refurbishment work or is that scheme no longer operational?

HON J J NETTO:

As the hon Member knows there have been quite a number of internal and external reports criticising Buildings and Works over a number of years. We have, for instance, the March 1993 Report by Price Waterhouse that the previous Government chose to keep secret from both the Opposition and the public which was a scathing attack on the value for money that we have in Buildings and Works. We also have the situation where on the 23 June 1994, the previous Principal Auditor, Walter Crisp, further made another report which the Government of the day chose to keep secret from the Opposition and members of the public, criticising the question of refurbishment to which the Opposition Member has referred to just now. The Leader of the Opposition knows that the department, as a result of this criticism, both these external and internal reports, have not been quantifying, specifying and estimating proper refurbishment works and what this Government are trying to do today for which we already put a scheme to the unions is very much the analysis and the comments subscribed in all of these reports. That is to say, that in future we will have major refurbishment works carried out by the Planning Office for which they will specify, estimate all the work; all the specifications will be done by a Quantity Surveyor; the same Quantity Surveyor that the Hon Mr Baldachino in 1993 removed from Buildings and Works back to DTI as a consequence of not getting value for money for tenants and tenants associations. This is the intention of the Government because we hope that we can give workers within Buildings and

Works, difficult as it is in today's world, security of employment, but there are two sides of the coin. One side of the coin is that we want to give them good conditions, good pay, good pensions, incentive money; but on the other side of the coin are the tenants and the tenants associations. We hope, like any other company or business, that the future of the department lies with giving our tenants the rights that they should have in a modern society. So the work that the Leader of the Opposition is subscribing now means that we will continue to induce this new refurbishment projects so long as there is value for money and customer satisfaction.

HON J J BOSSANO:

That is not my question. Can he tell me whether, in fact, the £1.6 million that has been spent has been spent by making payment on incentive schemes or is it another way? That is the question I have asked, nothing else.

HON J J NETTO:

As the hon Member fully knows, yes, it has been done by major refurbishment works. In fact, if he wants further details, not just from this previous financial year but if he wants to go further back in history as from the 1 May 1994 to the 31 March 1997 with the same Head 101, Subhead 2, a total of £1,514,932 had been allocated for bonuses by the previous Government. We are not talking about basic wages, we are not talking about overtime, we are not talking about allowances, we are not talking about substitution; we are talking solely and exclusively of bonuses. From that total figure we find that the North Depot have enjoyed a total amount of £662,059. The pay which has now been subsumed in the North Depot, £22,864. The South Depot, £421,664. The Town Depot, £140,106 and the Works Depot, £268,238. So in terms of the backlog, the huge immense backlog of work that there is which is to do with the criticism enshrined in these reports which they kept secret, it is clear for us that we need to continue to keep these promises but not on a question whether Government are not satisfied that we are giving value for money and customer satisfaction.

NO. 22 OF 1997

THE HON J L BALDACHINO

GOVERNMENT HOUSING - WATER INGRESS

Can Government state how many Government rented dwellings have been affected with water ingress due to the recent inclement weather?

ANSWER

THE HON THE MINISTER FOR EMPLOYMENT AND TRAINING
AND BUILDINGS AND WORKS

The total number of reports received were 296.

According to management all reports were attended to. The Department has bought during that period 241 tarpaulins and most of them have been placed. Some immediate works have been executed and others were put on record for future works.

SUPPLEMENTARY TO QUESTION NO. 22 OF 1997

HON J L BALDACHINO:

How many dwellings have been severely affected? I suppose there are different ways dwellings can be affected?

HON J J NETTO:

Yes.

HON J L BALDACHINO:

Not yes, but how many? I am asking how many have been severely affected?

HON CHIEF MINISTER:

That is not a coherent question. The question asks how many have been affected by water ingress. That calls for one single number, the number is 296. If the hon Member wants a detailed report of how each of those 296 were affected and to what extent, he will have to give notice of a question. How can he possibly expect the Minister to have that information at his fingertips?

HON J L BALDACHINO:

How many of the dwellings have had remedial works carried out?

HON J J NETTO:

I think I have actually answered that question already.

HON J C PEREZ:

Is the Minister aware of the dwellings that have had tarpaulins placed on them, how many are programmed and scheduled to be repaired in the near future and how many are in the consideration of the department and perhaps in a position of disrepair where the tenant may have to be vacated? Has the Minister got those details available - I understand it is not part of the question - if not, could the Minister perhaps supply the Opposition with those figures?

HON CHIEF MINISTER:

The hon Member may not know and if he does not I will tell him now, that the Government have a substantial programme of works that we wish to introduce, not just in the refurbishment of the Government housing stock but, indeed, in the beautification of Housing Estates which is an electoral commitment of the Government. The Government have not so far been able to make any start in our programme in relation to public housing because as the hon Member knows well, industrial relations within the Buildings and Works Department since May have not permitted it. As soon as the Government deal with the fundamental problem in the Buildings and Works, to which the hon Member has already alluded in the form of the Government's insistence on being able to measure the quantity and quality of the work done in order to ensure the taxpayer gets value for money for the large amounts of money that is invested in this area, the Government will then have available to us a workforce with which we can carry out our policies of refurbishments and embellishments to Government housing estates. But he well knows, from the reading of the press during the last several months, that it has not been possible for the Government to effectively deploy the workforce of Buildings and Works during the last seven or eight months.

HON J C PEREZ:

I thank the Chief Minister for all the information he has given which I did not ask for. I can gather then from that information that of the 200-odd tarpaulins that were placed on leaking roofs because of the heavy rains, there are at the moment no plans for the reasons given by the Chief Minister to repair any of those houses, whether they are severely affected or not?

HON CHIEF MINISTER:

It seems that giving more information than they ask for does not lead to the information being absorbed. The Government have plans but simply cannot put them into effect.

HON J C PEREZ:

Precisely because the Chief Minister has offered more information than the one I asked I wanted him to specifically state that those tenants with tarpaulins on their roofs are not to expect in the very near future that their roof be repaired for the reasons offered freely by the Chief Minister to this House.

HON CHIEF MINISTER:

The tenants who need tarpaulins on their roof because it rains, have been needing repairs to their council houses for eight years, many of them. Now they have a Government with a commitment to tackle them which they did not have before and therefore it does not lie in the mouth of the hon Member to seek to put the Government under pressure for not having done what we want to do but cannot when he was not willing to do it during the last eight years.

HON J C PEREZ:

Is the Chief Minister aware that he is talking complete nonsense and that his hon Colleague has just told the House that the 200-odd tarpaulins that have been placed on the houses that are leaking are leaking because of the recent heavy rains and how could those houses have been leaking for eight years? We are talking about the recent leaks of the heavy rains and not the repairs which he has referred to before of the beautification and all this beautiful policies which he claims he is going to do of which he has done none yet. Can the chief Minister not make a distinction between repairs of the old stock and recent repairs as a result of heavy rains which is what the Hon Mr Baldachino has asked and what his hon Colleague was trying very badly to answer in this House?

HON CHIEF MINISTER:

Notwithstanding the efforts by Opposition Members to undermine the work of this Government, the Government have not invented heavy rainfalls since May 16th, it used to rain quite heavily during the eight years that he was in office as well.

HON J C PEREZ:

But the tarpaulins that have been necessary as a result have been as a result of the rains when he has been in Government so he cannot attribute it to the past eight years.

NO. 23 OF 1997THE HON J L BALDACHINO**GOVERNMENT HOUSING - VACANT UNITS**

Can Government state how many Government housing units are at present vacant broken down in the categories of -

- (a) post-war
- (b) pre-war?

ANSWERTHE HON THE MINISTER FOR SOCIAL AFFAIRS

At present there are 115 Government housing units which are vacant. They can be broken down into post-war and pre-war as follows -

- (a) post-war 64
- (b) pre-war 51

SUPPLEMENTARY TO QUESTION NO. 23 OF 1997

HON J L BALDACHINO:

Are they all habitable for allocation?

HON H CORBY:

Pardon?

HON J L BALDACHINO:

Of the 64 post-war and of the 51 pre-war, are they habitable accommodation which can be allocated?

HON H CORBY:

No, they are not habitable accommodation which can be allocated. In the pre-war houses we are undertaking a study and the Minister for Buildings and Works is doing that. Let me say that when we came into power we undertook a process where Government flats would be refurbished. We found that the public was not getting value for money. Out of the 115 which were there, and the Chief Minister has stated the reasons for this, within May, June, July, August, September to date, Buildings and Works have produced only 24 of those houses. So the Minister for Buildings and Works is undertaking a study, a costing, but it is due to the Buildings and Works not wanting to produce the work, that this state of affairs has arisen. It puts a lot of pressure on the Housing Department because flats are empty and people see flats empty. There are people who cannot go in and do it themselves

because there are social cases as well on the pre-war at times, and he knows this for a fact. Flats are left in a derelict state, even the post-war, and he knows that for a fact. We have offered proposals which we believe are beneficial to both the workers and the public and this has been in conjunction with the union and have been submitted to them. We hope that they will accept this deal and probably the Minister for Buildings and Works can extend the information insofar as the package is concerned. I am sure they will accept this proposal and we will have flats returned sooner and then we can allocate.

HON J L BALDACHINO:

Am I to understand from the answer that the Minister has given, that none of the 64 post-war flats are in a state where they can be allocated?

HON H CORBY:

No. There are people who cannot do it because of their financial restraints but those who can do that, and pre-war houses are in a pretty derelict state, the Government are prepared to offer them materials and all the rest in order that they can acquire a house sooner.

HON J L BALDACHINO:

How long will the Minister make available to those people in the waiting list on the condition he has just mentioned the post-war flats - I do not know how many there are of the 64 - which can be allocated in that sense?

HON J J NETTO:

In terms of the question posed how long will it take to be able to allocate to tenants those houses, again we go back to the previous debate in the sense that at the moment as we speak, both senior management and the Government are not in a position to be able to determine a proper programme of works to be carried out. The reasons why we cannot give a proper schedule of works is because we are not satisfied with the way major refurbishment, which includes houses, have been performed in the last couple of years. As I said before, given the first report which was issued by Price Waterhouse in March 1993, the Opposition Member took the decision to bring a Quantity Surveyor from DTI to Buildings and Works. Given the fact that the Quantity Surveyor as listed in this report was not authorising the flats, he was removed by himself back to DTI and as a consequence since then what we have had is junior ranking civil servants putting up works to be carried out. We have situations moving slightly beyond the question of flats. We have other major works in the context of the roads at Varyl Begg which have taken an eternity to do and the standard of work, because of lack of supervision, means that we still continue to have the problems of water penetration in the roofs in Varyl Begg despite the cost incurred to repair them. We have tarpaulins in Flat Bastion Road which have been there for the last couple of years and the works have not been done. We have a situation that until such time as we can get this scheme which we officially put to the

workers themselves that we will not be able to speed up the waiting list of people for the allocation of houses. I am afraid that there are many good workers within Buildings and Works who know that this is a good system but there are others, I am afraid, who because we are introducing a new system and new controls, who are not in favour of it, they would like to keep the old anarchy that has existed for the last couple of years.

HON J L BALDACHINO:

I know that the Minister keeps on repeating himself but that is not the question I asked. I am asking for information. His hon Colleague, the Minister for Social Affairs, said if I remember correctly, he said that in some cases the Government were considering and prepared to give the materials to people so that they could repair the flats themselves which has got nothing to do with what the Minister for Buildings and Works has said and repeated four times. I am asking out of the 64, those who fall under that category, when will the Housing Allocation Committee be prepared to allocate those? That is the question I have asked.

HON CHIEF MINISTER:

Since the hon Member is interested only in information in future that is all that he will get. The position is this, the Government are not happy that whilst the taxpayer is shouldering a substantial cost of maintaining a Buildings and Works Department that prospective tenants should be made to incur the expense of putting Government houses into proper condition. We are therefore not happy for that system to continue indefinitely. What happens at the moment, until we can come to an agreement with the workforce in Buildings and Works, is that the Government continue to make the offer to people on the waiting list, some people accept it and other people do not but what we do not do is make people miss their place on the waiting list because they say no, because that would be penalising people on the Government housing waiting list for the situation that prevails in Buildings and Works and that is not fair. So the result is that not all houses are allocated because otherwise they could only be allocated to people who are willing to do the works for themselves and the Government are not willing to operate such a system.

HON J L BALDACHINO:

That explanation I have understood, Mr Speaker. Therefore what the Chief Minister is saying is that they will offer it to the people who are on the top of the waiting list who have been allocated by the Housing Allocation Committee and if they refuse then obviously those are not allocated to somebody else. I understand that and that is the information I wanted, not the one that the Minister for Buildings and Works has given me which has got nothing to do with the question I asked anyway.

HON H CORBY:

Let me say that there are other criteria that fall within not the housing allocation list but also social cases, etc.

NO. 24 OF 1997

THE HON J GABAY

EDUCATION - ST MARY'S SCHOOL

Do Government intend to move St Mary's School from the present location?

ANSWER

THE HON THE MINISTER FOR EDUCATION, THE DISABLED, YOUTH
AND CONSUMER AFFAIRS

The Government do not at this stage intend to move St Mary's School from the present location.

SUPPLEMENTARY TO QUESTION NO. 24 OF 1997

HON J GABAY:

I may be wrong but I am under the impression that representations were made by the Parents Association expressing concern because of the heavy traffic that comes right across the main entrance to the school and that assurances were given that a change of premises was envisaged and that failing, the traffic would be diverted in some way or other?

HON DR B A LINARES:

Assurances were given that the change of location was being, not envisaged but considered. It is a consideration that is in our minds given the fact that there is difficulty, without being dramatic, in traffic congestion on that spot, I know only too well because my office overlooks that spot. As I say, it is not something we have in a categorical and definite manner in operation.

NO. 25 OF 1997

THE HON J GABAY

EDUCATION - NATIONAL LITERACY PROJECT

Is the Minister for Education studying the National Literacy Project and its probable relevance to teaching in our primary schools?

ANSWER

THE HON THE MINISTER FOR EDUCATION, THE DISABLED, YOUTH
AND CONSUMER AFFAIRS

Yes, the Department of Education is aware of UK initiatives to establish "Literacy and Numeracy Centres" in several Local Education Authorities.

The possible benefits of adopting such an approach to the teaching of reading are currently being investigated by the Department, more specifically by its advisory staff. In the meantime, the Department has already taken some of the recommended reading strategies on board and is in the process of disseminating these to schools. Our close links with the Department of Education and Employment and the Schools Curriculum and Assessment Authority in UK ensure that we are kept abreast of educational innovations at all times. All new UK initiatives that are deemed to be worthwhile for the educational development of our schools and our pupils are incorporated into our system.

As an aside, I would like to inform the Opposition Member that it is, in fact, my Department's policy to regularly monitor literacy levels in our first and middle schools through the use of Standardised Reading Tests.

SUPPLEMENTARY TO QUESTION NO. 25 OF 1997

HON J GABAY:

I would thank the Minister for his generalisations but he should realise that my question is very specific on the National Literacy Project. I therefore pursue the matter with these questions. Is the Minister aware that this highly detailed Literacy Programme has been commended by many experts as striking a very careful balance between reading for meaning and skills such as phonics and that in all likelihood it could influence the shape of a future national curriculum?

HON DR B A LINARES:

I would be very pleased if the Opposition Member, and I hereby issue an invitation, would come to our Department to see the battery of tests and the work that is being done in very specific and concrete terms, for instance, to adopt what is perhaps the only phonics project which is really available to schools in UK, he may be familiar with the programme THRASS and it was in this model that our advisers are currently preparing a very interesting, which I think would be of interest to him and that is why

I invite him, a current package to be provided to our teachers in our schools based very much on the phonic methods which are being proposed in THRASS which reflects very much the thinking and the philosophy of the Literacy Project which has been only, as he knows, very recently initiated in 120 schools in England and under 13 Local Education Authorities.

HON J GABAY:

I thank the Minister for his invitation which I gladly accept and I am pleased to hear that so much is being done in the background. Perhaps I will be allowed to continue with my questions on this specific project so that it can be borne in mind when we meet during the invitation. Is the Minister aware that the National Literacy Project would be practised in some 200 schools and that it is meant to flesh out the current national curriculum with term by term targets in work recognition skills, grammar and a range of fiction and non-fiction to which pupils should be exposed and furthermore is the Minister aware that it is a pilot scheme carried out by Government in response to what they saw as poor national curriculum test results as well as the reports from the Office for Standards in Education criticising literacy teaching? Finally, would the Minister not agree that there is danger in complacency and that it is important to keep abreast of such developments aimed at counteracting some of the excesses of so-called progressive teaching and a justified concern as well for basics such as grammar, punctuation, spelling and phonetic skills?

HON DR B A LINARES:

The Opposition Member has displayed his knowledge of the Literacy Project. I assure him that that knowledge is in detail and very specifically shared by myself but certainly by our advisory staff that we have very much in mind, may I just nevertheless take the opportunity that we must not take these initiatives in the UK and certainly very often right-wing philosophies that lie behind it wholesale, that they need to be tailored very much to the needs of our community. May I say that only recently educators in the UK have begun to question the wisdom and certainly the operational feasibility of some of these projects, I may quote, for instance, Bill Laar who is a registered inspector and education consultant who has said that the Literacy Project which we are talking is unrepentantly prescriptive, that it demands a dedicated literacy hour each day in each class and its structure is fixed and sacrosanct. He points out that there will be direct instruction by the teacher and that teachers are already disturbed by the implications - this is relevant to Gibraltar - for children whose first language is not English. Many will be concerned, he adds, that the extraordinary detailed phonic programme is excessive, unnecessary and in some respects likely to assume undue proportions. There are doubts as to the wisdom of the very embryonic and initial project in UK. I do not think it would be wise for us to take it wholesale as a panacea to our problems.

HON J GABAY:

To end the subject of this question may I just simply add that I share those views. There is, in fact, much debate on the conflict between prescriptive education and perhaps the excess, as I have said, of progressive education. But the general feeling is, obviously there would be different points of view but the general feeling would appear to be that it is a particularly interesting and balanced project and it is in that vein that I asked the question.

HON J J BOSSANO:

Can I ask whether, in fact, since the development in UK appears to arise from concern periodically expressed in the media about the efficacy of the system that has developed when prescriptive teaching was being eroded, do the Government know whether our own performance with our own existing system shows decline in standards as they tend to be described in the UK?

HON DR B A LINARES:

I have good news on that. As I said before, we monitor very regularly, in fact, much more than is the practice in UK, through standardised reading tests and literacy tests our children in first and secondary schools, in fact three times a year children in first schools and middle schools are tested and the good news is that by all accounts the standards of literacy in our schools have risen over recent years and are at a very high score at the moment. There is certainly, I can assure Opposition Members, no cause for alarm. In fact, I may say, to accept also the professional side of the debate that emphasises more prescriptive and grammatical and phonic attention to education, that in our first schools there has been a tradition also to stress that methodological aspect of education. Perhaps that is why now we benefit and reap the reward of high scores in standards as shown by very detailed and technical tests that are put to our children. That may comfort the Opposition Members.

HON J GABAY:

May I add a further question in relation to what my hon Colleague has said about the decline in standards. It is obvious from most reports that the standard of literacy has gone down, this is reflected in the reports from industry and commerce that employ people leaving schools. It has also been criticised by universities and in my own personal experience I feel that this is so, would he not agree that this is also being reflected amongst local employers who find that the standard of literacy and of written English of a substantial number of candidates going through the schools does not reflect the required standard?

HON DR B A LINARES:

There is no technical scientific evidence for those value judgements. There are perceptions and, as I said a moment ago, technical tests put to our children reflect that this is not the case.

NO. 26 OF 1977

THE HON J GABAY

EDUCATION - ACCESS TO COURTS BY PUPILS

Will the Minister for Education clarify whether the "blame culture" spreading in the UK, that is, giving pupils better access to the courts, is starting in any way to affect our system?

ANSWER

THE HON THE MINISTER FOR EDUCATION, THE DISABLED, YOUTH
AND CONSUMER AFFAIRS

Legal procedures which are backed by very explicit legal entitlements and charters, have certainly affected many institutions in UK. Schools have not escaped this. We have seen how a school or an authority, has been sued for loss of earnings by an ex-pupil who claims he was not well prepared for his public exams. This has not, thankfully, happened here. Our social patterns and trends are quite different.

We all know that the elimination of the illegal tobacco trade has done a lot of good to repair the morale and motivation of our youth.

The "blame culture" is also, in my experience as a head teacher, a way that a small minority pass on responsibilities to others. Parents often blame the teachers if their children do not achieve. Teachers sometimes think that parents could take a greater interest in their children. And pupils sometimes feel bullied by both teachers and parents, and play off one against the other. Fortunately, in Gibraltar the majority value education. They show more respect for it than in many other cultures. People are, on the whole, respectful of teachers and as a rule pass these attitudes on to their children.

SUPPLEMENTARY TO QUESTION NO. 26 OF 1997

HON J GABAY:

It would appear that most questions get the answer that everything is perfect in our system. I think perhaps more humility in analysing the situation and being abreast of possible dangers is a better attitude to take. I therefore will proceed with part of what has been said in the question which I consider relevant. Would the Minister not agree that the world of education is in a state of flux and that we need to be conscious of trends elsewhere, particularly in the UK for, inevitably, almost likely, such trends will move in our direction?

HON DR B A LINARES:

I entirely agree.

HON J GABAY:

Furthermore, based on that element of agreement... *[Interruption]*

MR SPEAKER:

It is nice to hear about literature, let him carry on.

HON J GABAY:

Perhaps you may have an element of relief from other people's talk. If this is so does the Minister share the anxieties of the many teachers in the UK who resent the American style of litigation by dissatisfied pupils, that is the commercial basis of consumers and providers which I dare say with a degree of trepidation in this Assembly, is only for the financial interest of litigation lawyers?

HON DR B A LINARES:

Once again, Mr Speaker, I cannot help but agree with the sentiments expressed by the Opposition Member and as I tried to be more factual in my initial answer, it was not a question that everything is perfect but stating the fact that that sort of phenomenon has not made any impact in the local scene and that is a fact not just an aspiration.

HON J GABAY:

Following upon that comment, the reason why I ask this question is that although such practices are not conspicuously evident in Gibraltar, I actually raise this question because some teachers have mentioned to me that it is not unheard of for some pupils to blatantly threaten legal action, therefore might not this be the first step on the way to a "blame culture"?

HON DR B A LINARES:

I am not too sure that I follow that exactly but I think in broad terms I have already expressed my sharing of the thinking and the anxieties, perhaps that is a strong word but certainly the concern that lies behind the thrust of the hon Member's questions. It is a very interesting subject for debate. I think I owe it to this House, especially in the context of questions and answers nevertheless, to avoid value judgements and general opinions and try to focus in on hard evidence that is put before us and I think that is a mark of respect to the House, although I would be very interested to debate the matter in another forum with him.

NO. 27 OF 1997THE HON J GABAY**EDUCATION - SAFETY MEASURES IN SCHOOLS**

Will the Minister for Education explain the measures currently in operation for the safety of children in our schools?

ANSWERTHE HON THE MINISTER FOR EDUCATION, THE DISABLED, YOUTH
AND CONSUMER AFFAIRS

The Department, and therefore the schools, rely on the advice offered by experts in safety matters. All recommendations and procedures identified as improving the safety and health of our children in schools, offered by such bodies as the Royal Gibraltar Police, the City Fire Brigade, the Environmental Agency, the Department of Trade and Industry, etc are carried out to the letter. More specifically, and as an example, we have frequent, at least once a term, fire drills taking place in all our schools under the expert supervision of the City Fire Brigade.

The Department is also conscious that our children may be at risk from others, for example, children suffer from the effects of bullying, from child abuse, and from ruthless drug pushers. In this respect, the Department organises in-service sessions for teachers, sometimes in close consultation and collaboration with other bodies, to help them cope better with problems of this nature. Very often we only think of our children's safety in terms of fire escapes, etc when they may be more at risk from these other sources.

SUPPLEMENTARY TO QUESTION NO. 27 OF 1997

HON J GABAY:

It is reassuring to hear that the traditional approach is being taken to matters of school safety. The on-going debate at the moment is the importance of risk assessment management which would require an assessment in all schools of all activities, equipment and buildings and would involve actually ticking boxes marking low risk and high risk elements. If a high risk is identified then the school must document the safety procedures and that is most important, the documentation of safety procedures, it is adopted to minimise the risk. Do our schools have such records in place?

HON DR B A LINARES:

Our schools have a whole variety, a whole battery of measures to ensure the type of safety and the hazards that the hon Member is talking about. As I said, I think the best thing, if he wants more specifics and more details in this matter, I think I once again renew my invitation to come and meet us there and be satisfied in this respect.

NO. 28 OF 1997THE HON J GABAY**EDUCATION - SCHOLARSHIP HOLDERS RETURNING**

Is the Minister for Education now in a position to state how many of the 81 scholarship holders who completed their studies in 1996 have returned to seek employment in Gibraltar and how many have had to seek employment abroad?

ANSWERTHE HON THE MINISTER FOR EDUCATION, THE DISABLED, YOUTH
AND CONSUMER AFFAIRS

The Department of Education normally writes to all graduates returning to Gibraltar releasing from their contract those whom the Government cannot employ. Not all students respond to our request. But from direct enquiries the Department has been able to establish the following figures:

34 are employed in Gibraltar (12 of whom are employed by Government as teachers)

16 have remained in UK

1 in Israel

30 we do not know as we have not been able to make contact with them as yet.

SUPPLEMENTARY TO QUESTION NO. 28 OF 1997

HON J J BOSSANO:

Can I ask the Minister, would they know if any of those 30 are in Gibraltar or not, or there is no knowledge at all?

HON DR B A LINARES:

I am sorry to say we have no knowledge, we have had to do it very much on spec., that is direct calls to each individual student. We hope, as I promised in an earlier meeting of the House, that we will have a systematic procedure next year to survey and, in fact, report on the movements in this respect. But at the moment what we have had to do is call individually and try to find out directly from them or their families as to the outcome of their career.

HON J L BALDACHINO:

Would it be a fact that if they were in Gibraltar and looking for employment they would be registered with the ETB? Could that not be a possibility?

HON DR B A LINARES:

I suppose so, yes, indeed, Mr Speaker.

HON J L BALDACHINO:

Therefore, if that were a possibility, would it not be a question of whether the Department of Education could try to get the information from the ETB?

HON DR B A LINARES:

I see the point of the hon Member's question now, yes, indeed, I think it is a wise move that we could actually work together and survey further based on the statistics and data in the ETB. I promise I shall try to do this in the near future.

NO. 29 OF 1997

THE HON J GABAY

EDUCATION - BISHOP FITZGERALD'S SCHOOL

Will the Minister for Education comment on the current state of the buildings that constitute Bishop Fitzgerald's School?

ANSWER

THE HON THE MINISTER FOR EDUCATION, THE DISABLED, YOUTH
AND CONSUMER AFFAIRS

The question is no doubt rightly prompted by the problems we have encountered at Block G, all the other blocks in the complex are unaffected, given the recent heavy rains. Unfortunately, although this block was the only one that needed a new roof and indeed one was constructed, it nevertheless was the one where water penetration was experienced. This problem was examined by experts and the solution was identified. The matter, I am happy to say, has now been put right and the children are back in Block G classrooms since last Monday 10 February after the block was declared safe. The delay in effecting these repairs resulted from the need to wait for the weather to lift before the men could go up to repair the roof. Effectively, the roof has been re-done and with wider overhangs. The internal damage has also been put right.

SUPPLEMENTARY TO QUESTION NO. 29 OF 1997

HON J GABAY:

Would the Minister not agree that he gave the impression that the repair work had been done so thoroughly, in fact to the complete satisfaction of the department and that things have reached virtually an alarming situation of late?

HON DR B A LINARES:

I would not agree that the situation has reached the point of alarm but certainly, yes, I would agree that in all good faith all the experts and all the relevant parties who examined the works being carried out were satisfied and ventured actually to say that the school would be in good order, have been to some extent, not to an alarming degree, been proved wrong. But I am confident, very sensible and factual assurances have been given to me now, that the actual cause, whether it is a cause of design or of construction, I would not venture to say myself at this stage anyway, but the cause was identified pretty technically and they have done the remedial work that needed to be done.

HON J GABAY:

Would the Minister not agree that the list of complaints submitted to him is overwhelming ranging from water ingress, is certainly one of the problems, to dangerous banisters and fire escapes, from permanent obnoxious smells to lack of assembly point for the evacuation of the school in cases of emergency; in fact the list that was given to me is far too long to list and this is a very recent one so I wonder what the explanation for that is?

HON DR B A LINARES:

The explanation is that these lists on paper definitely look alarming. I will take, for example, the question of the fire escape which is obviously perhaps sounds and looks even more alarming. Please remember that this complex has been used as a school well before it was handed over to the local Government as a first school and then afterwards as a college for students as well and throughout this time the structure of the school in terms of fire safety was such that they have these raised platforms that communicate one block with the other so that in case of fire there is always a way for the children and teachers being able to be evacuated into the other one. The Fire Brigade feels that it would be desirable, they have not really felt alarm at the whole possibility, if these platforms or these corridors should have some steps leading down to them to the ground floor as an additional precaution. I am giving this as an example of how by all means when one puts down on paper, in fact may I tell the House that in the case of the fire escape suggested by the Fire Brigade work is already in hand, we are only waiting for some further instructions and specific instructions from the Fire Brigade before the constructors complete the work. Similarly obnoxious smells, apparently yes occasionally but I also had conflicting reports, some people who have lived there for years, remember that Westside School is next door, do not seem to have noticed this perhaps some people are more sensitive than others but I do accept that occasionally there are obnoxious smells coming that way. I am not too sure, they tell me all sorts of things of how apparently it is connected with the sewage system in the area. There is, I admit and confess, very little at this stage that I can say to remedy that though it will be investigated and so on. The list, I would say in order to assure the hon Member, is not in the mind of the technical people and the officers in the department as alarming as it might look on paper.

HON J GABAY:

Finally on this subject. Would the Minister agree that concern has been voiced by parents, teachers and pupils in a documented way with regard to this wide variety of problems, some more serious than others, some impinge on safety, others on the progress of the pupils and so on, can he give me some assurance that within a reasonable period of time most of these defects, in fact, will be remedied?

HON DR B A LINARES:

Of course, surely the hon Member must accept that the safety and the welfare of our children is an issue that is in all of our hearts. I think I had occasion, in a previous meeting, to say that my own daughter is a pupil in that school so I have a personal vested interest but obviously even above that consideration I do assure the hon Member that all the items given in that list of complaints will be looked at very thoroughly and effectively.

NO. 30 OF 1997

THE HON J L BALDACHINO
(In the absence of the Hon Miss M I Montegriffo)

GFA - SCHOOL OF EXCELLENCE

Are Government reconsidering their decision not to make available to the GFA a suitable building for its premises and school of excellence, following the submission made by the GFA to the Chief Minister?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Government have not made the decision not to make available to the Gibraltar Football Association a suitable building for its premises and a football school of excellence. Government are at present considering a submission made by the GFA to the Chief Minister. Such consideration has not yet been completed and consequently a final decision on the matter has not been taken.

NO. 31 OF 1997

THE HON J L BALDACHINO
(In the absence of the Hon Miss M I Montegriffo)

GIBRALTAR SPORTS COUNCIL

Can the Government state how many meetings of the Gibraltar Sports Council have now been held?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Sports Advisory Council members were elected at a meeting of all Sports Associations on the 23 October 1996 and subsequently four other members were appointed. To date, the Council has met three times, that is on 4 December 1996, on 15 January 1997 and on 5 February 1997. The next meeting is scheduled for Friday 14 March 1997.

NO. 32 OF 1997

THE HON J L BALDACHINO
(In the absence of the Hon Miss M I Montegriffo)

GFA - APPLICATION TO FIFA

Can the Government confirm that they are giving their full support to the Gibraltar Football Association's application to FIFA?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Yes, Government are giving our full support to the Gibraltar Football Association's application to join FIFA.

SUPPLEMENTARY TO QUESTION NO. 32 OF 1997

HON J L BALDACHINO;

Will Government also be providing, if need be, financial support?

HON CHIEF MINISTER:

The Government consider that the GFA's application to join FIFA or more specifically the reasons why the previous application was turned down raises matters of interest to Gibraltar which go beyond the sporting interests of the GFA and should they therefore find themselves embroiled in litigation in an attempt to defend, on behalf of Gibraltar, interests which transcend their limited sphere as a football association, the Government would of course support them financially.

NO. 33 OF 1997

THE HON J L BALDACHINO
(In the absence of the Hon Miss M I Montegriffo)

GIBRALTAR SPORTS COUNCIL

Can the Government state what matters have been discussed to date by the Gibraltar Sports Council?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

A copy of the approved minutes of the first two meetings of the Gibraltar Sports Advisory Council have been made available to the Opposition Member, to the governing body of each recognised sport in Gibraltar and to the local information media. Copies of the approved minutes of future meetings will also be made available.

NO. 34 OF 1997

THE HON J L BALDACHINO
(In the absence of the Hon Miss M I Montegriffo)

GIBRALTAR SPORTS COUNCIL

Can the Government state what matters will be discussed in the next agenda of the Gibraltar Sports Council?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

It is not possible to state at this stage what matters will be included in the agenda for discussion at the next meeting of the Gibraltar Sports Advisory Council which will be held on Friday 14 March 1997. Due to a decision taken by the Council, the agenda is not finalised until three days before the scheduled date of each meeting so as to allow members and Sports Associations as much time as possible to submit matters for inclusion in the agenda.

NO. 35 OF 1997

THE HON J L BALDACHINO
(In the absence of the Hon Miss M I Montegriffo)

GIBRALTAR RIFLE ASSOCIATION - INDOOR RANGE

Can Government confirm if they have now reached a decision as to whether they will be providing support to the Gibraltar Rifle Association for the construction of their indoor rifle range?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Yes, Sir. Government have already decided to provide support to the Gibraltar Rifle Association for the construction of an indoor shooting range adjacent to the existing outdoor shooting range at Europa Point.

SUPPLEMENTARY TO QUESTION NO. 35 OF 1997

HON J L BALDACHINO:

Will it be financial support as well? In what way will they be supporting the Gibraltar Rifle Association?

HON LT-COL E M BRITTO:

Obviously the Opposition Member is not aware of the history behind this. The support will be in actually constructing the annexe that is needed to the range itself.

HON R MOR:

Can I ask at what cost, if the Minister can tell me?

HON LT-COL E M BRITTO:

At a saving of about £15,000 to what it was going to cost Opposition Members who had estimated the cost at £45,000 and the present cost is of the order of £30,000.

HON J L BALDACHINO:

I suppose those are with the same specifications that previously were there?

HON LT-COL E M BRITTO:

They are to the revised proposals submitted by the Rifle Association and to their satisfaction but I do not know the minor detail of what is in either plans but I know that substantially they are the same.

HON J L BALDACHINO:

It might not be to the same specification where previously we were going to spend £15,000 more?

HON LT-COL E M BRITTO:

The saving essentially is in the contractor being used. The contractor was an outside contractor being used before, this is the estimate as given by DTI, the final costing has not yet been approved but this is the DTI estimate and we hope to do it from within Government resources.

NO. 36 OF 1997THE HON J C PEREZ**FIBRE OPTICS**

Having regard to on-going developments in information technology, are Government now in a position to decide whether to invest in providing fibre optics into every home in Gibraltar?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The position is as outlined in answer to Question No. 65 of 1996.

SUPPLEMENTARY TO QUESTION NO. 36 OF 1997

HON J C PEREZ:

Could the Minister check the news that has come my way that some new technology is available that might not necessitate the actual taking of the fibre optic cable into the home because of different signals that could connect to the loop and be as effective as that and could he check that whenever he decides to look at the cost of it again which is what he told me last time he would do regularly until the market allows for the Government to get into the next century in time to catch up with technology?

HON LT-COL E M BRITTO:

I believe the technology the Opposition Member is speaking about limits the applications within the home that can be used on the loop. I am obviously at this moment in time not fully briefed on the detail but if my memory serves me he is essentially correct, one can use fibre optic up to the pavement point and copper from the pavement point into the household. This provides, for example, a television signal inside the household but it does not provide more sophisticated signals for other type of equipment.

HON J C PEREZ:

But it lowers the cost of the signalling transmission equipment?

HON LT-COL E M BRITTO:

Yes, it would lower the cost but essentially one would not be able to use all the equipment that is available on the market, only some of it.

NO. 37 OF 1997

THE HON J C PEREZ

MOT TEST CENTRE

Have Government now received updated proposals from the employees of the MOT Test Centre for the privatisation of the facility?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

No, Sir.

SUPPLEMENTARY TO QUESTION NO. 37 OF 1997

HON J C PEREZ:

So the situation is as explained the last time in answer to a similar question, that the Minister is still waiting for the employees to come up with fresh proposals to him?

HON LT-COL E M BRITTO:

Essentially the position is the same. Maybe I should add that although the employees have not come up with revised proposals, they have actually written saying that they are interested in negotiating with the Government but they have not provided revised proposals.

HON J C PEREZ:

I presume those proposals need to go to the Government directly or through the Personnel Manager's channels?

HON LT-COL E M BRITTO:

The Government are looking at the situation overall assessing the needs of the new infrastructure that need to be put into place, costing it, assessing the technical equipment that is needed as well as looking at the possibility of studying proposals. Until such time as we know exactly what we need and where it is needed we will not be in a position to entertain proposals from anybody.

NO. 38 OF 1997

THE HON J C PEREZ

NYNEX/GIBTEL - POSSIBLE MERGER

Can Government state whether Gibraltar Nynex Communications and Gibtel are in discussions over a possible merger of both companies?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Gibraltar Nynex Communications and Gibtel are not in discussion over a possible merger of both companies. However, the shareholders of both companies have agreed to explore jointly the effects that the pending liberalisation of the telecommunications industry will have on the commercial viability of the companies before each company independently determines the way forward.

NO. 39 OF 1997THE HON J C PEREZ**NYNEX/GIBTEL - COMPLAINTS**

Can Government state what the latest position is on the complaints lodged with the European Commission by Gibraltar Nynex Communications and Gibtel against Telefonica?

ANSWERTHE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

The complaint against Telefonica by Gibtel was lodged with the European Commission in May 1996 and that of GNC in November 1996. The latest position is that DGIV needs to make the decision whether, and if so how, to proceed with the complaints.

The substance of the complaints by both companies is about Spain's failure to recognise Gibraltar's Telephone 350 Area Code. This is essentially a commercial matter and would normally have been dealt with by DGIV under Article 86 of the Treaty of Rome.

However, the Spanish Government have now informed the European Commission that Telefonica is acting under instructions from the Government of Spain to refuse to recognise Gibraltar's Telephone 350 Area Code. This development has changed the character of the complaints. They have now taken on a political nature and as such, are dealt with under Article 90 of the Treaty. Another implication of this development is that the United Kingdom, as the member State, and through it Gibraltar, may now become directly involved.

During the recent visit to Brussels full and frank confidential discussions were held by the Chief Minister and by myself as Minister for Government Services with the Director of Telecommunications and Postal Services at DGIV.

Consultations are currently taking place between Gibraltar Government, the UK Government through the Department of Trade and Industry, Gibtel and GNC in respect of recent developments.

SUPPLEMENTARY TO QUESTION NO. 39 OF 1997

HON J J BOSSANO:

Can I ask, is the position of DGXV different if the complaint is Article 86 as opposed to Article 90? That is, the nature of the response they have to give, does the fact that the base has now changed alter their response?

HON CHIEF MINISTER:

DGXV is concerned with general compliance with the directives, DGIV is concerned with competition issues. We are in the realms now of DGIV, competition issues, and within DGIV there is a directorate which deals with these competition issues as they affect telecoms. The procedure is not markedly different under Article 80 and Article 90 except that it has got to start again as six months, or possibly more months, to the procedures. I think I can say additionally that the companies have informed the Government that they have sought interim relief which means that they have asked DGIV to in effect make the Spaniards do something pending the final resolution to recognise the 350 Code. The DGIV has not yet decided whether it is willing to request the Spaniards to put into place interim relief in favour of Gibraltar's case and that is where the matter now is. One of the principal differences of course is that Governments can now intervene, Governments could intervene before - let me put it this way, it is now easier for Governments, certainly this Government, to intervene.

HON J C PEREZ:

Now that as a result of the response from the Spanish Government the matter has become a political issue as opposed to a purely commercial one under Article 86, will the new complaint now be lodged in the name of the United Kingdom Government being the Member State responsible ultimately in the European Union for telecommunications in Gibraltar?

HON CHIEF MINISTER:

No, the question contains a fundamental error and that is that the effect of Spain having said to the Commission, "Do not go against Telefonica because they are acting under my instructions" is to kick it up to Article 90. That means that the defendant, in other words, the party complained against becomes the Government of Spain. Telefonica can be left as a co-defendant but the complaints continue principally against Spain that has admitted that this political directions by a Government in regulatory control of a domestic monopoly providing utilities and therefore it becomes Article 90, the Kingdom of Spain becomes the respondent. The corollary of that is not that the plaintiff becomes the Government of the country from whence the complainant comes, so that does not make the complainant now the Government of the United Kingdom, the complainant remains Gibtel and Nynex. Of course, the United Kingdom Government are free to intervene and make themselves the complainant jointly with Gibtel and Nynex and, indeed, the Government of Gibraltar are considering whether we are free to do that and we will then decide how to proceed when we have had legal advice on that point.

HON J C PEREZ:

Is the Chief Minister aware whether the interim relief that was submitted in May at the time of the complaint, when I was still Minister responsible for Gibtel, would be in the form of cash relief to the company or whether the Commission is considering asking Telefonica to put in certain arrangements in place pending the decision of the complaint?

HON LT-COL E M BRITTO:

Yes, certainly it is not a question of cash. I think I am right in saying that in the case of both complaints the interim measures asked for by both companies were essentially very similar to what they were asking in the long-term which was recognition of the 350 Code. There is no interim measure that achieves the final aim except recognition.

HON J C PEREZ:

Perhaps then I might be able to refresh the Minister's memory. The interim arrangements certainly, as far as Gibtel is concerned, is as a result of the unfair competition that exists between Telefonica and Gibtel in the provision of mobile telephony in that the mobile system in Gibraltar is only able to be used within the area of Gibraltar whereas the Telefonica system is able to be used in Spain and in Gibraltar through aerials that are placed in Spain. Therefore the reluctance by Telefonica of not giving Gibtel a roaming agreement makes it uncompetitive or unfair competition between Gibtel and Telefonica in that area of business and in that area of business is where the relief was being sought. I am asking the Minister, perhaps to find out if that relief will be in the form of temporary arrangements to give a roaming of some sort in some way to Gibtel pending the result of the Commission or whether that is a cash position for loss of business as a result of the unfair competition that already exists?

HON LT-COL E M BRITTO:

I understand and, of course, what the hon Member is saying is correct. But, again, if my memory does not fail me, the interim measures that the complaint asks for is the recognition of the 350 Code, there is no application for grant aid because if the hon Member thinks about it, both the roaming agreement or the ability to use mobile telephones issued or bought from Gibtel in Spain is reliant on the 350 Code as well. I will check it and confirm if I am wrong but if my memory does not fail me the only interim measure requested by Gibtel was for the 350 Code, but I will check it and confirm. Certainly in the case of Nynex I know for certain it was only the 350 Code.

NO. 40 OF 1997

THE HON J C PEREZ

POSTAL SERVICES - REVENUE

Can Government state how much revenue they intend to raise as a result of the increase in postal services published in Legal Notice No. 117 of 1996?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

It is expected to raise around £37,000 to £40,000 from such increases.

SUPPLEMENTARY TO QUESTION NO. 40 OF 1997

HON J C PEREZ:

So there is actually a nett increase to the Post Office and it is not only to cover the cost that was being charged to us by other administrations?

HON LT-COL E M BRITTO:

I understand that that is the nett increase to the Post Office.

HON J C PEREZ:

Although I have not given notice the Minister might be aware of it, is the European rate for postage in line with other European Union countries, obviously on the exchange rate because I am not sure whether a directive was passed in this respect where there was going to be a standard rate for the whole of Europe in postage stamps, that is why I am asking the Minister?

HON LT-COL E M BRITTO:

We were behind in European rates for about a year because this increase that has come in as from the 1 January 1997 should really have been applied on the 1 January 1996, so we have been behind for about a year. But my understanding is that this brings us into line now with the rest of Europe.

NO. 41 OF 1997THE HON J C PEREZ**SIR HERBERT MILES ROAD - WORKS**

Can Government state whether access to Sandy Bay via Sir Herbert Miles Road will be cut off throughout the duration of the scheduled works to widen the road?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

The works to be undertaken along Sir Herbert Miles Road will require the whole of the existing road and footpath to be completely uplifted to allow for the complete reconstruction of the road. In addition to this, sections of the new road will follow a new alignment necessitating the existing road and footpath to be removed and replaced with a new construction.

To allow the road to be widened and realigned, there will be a need to construct high retaining walls along the catchment side of the road. This will necessitate the removal and movement of large quantities of sand requiring the use of very heavy plant and machinery. Due to the narrowness of the site, the works are likely to take up all the available space either for working or storing of materials and shifting of the sand. Furthermore, whilst the walls are being constructed, there will be a high risk of collapse of the excavated sand face.

In view of the above, it will not be possible to permit public access along the site whilst the works are on-going. Public access will be re-established as soon as the works have progressed to a stage when it is considered safe to allow pedestrians to walk through.

A programme of works is being devised to ensure that access is maintained to all properties from either end of the works. Consequently, the project has had to be divided into three phases with the section from Caleta Palace Hotel to Both Worlds forming the first phase of such works. The second phase will not commence until works on phase one have progressed to such a stage where public access to the same is afforded with a similar situation occurring in respect of the start of phase three. However, to reduce construction time to a minimum, those elements of phases two and three which do not require a complete road closure will be undertaken in parallel with other phases of the works.

SUPPLEMENTARY TO QUESTION NO. 41 OF 1997

HON J C PEREZ:

When is the Minister expecting the works to commence?

HON P C MONTEGRIFFO:

The tenders with regard to the first phase have now been sought and they are expected back by the end of this month. We hope to have the works out as soon as possible thereafter. We are extremely conscious of the inconvenience that will be caused to the public and to the operators of hotels and retirement homes in the area and it is our intention to minimise that problem but in works of this nature an element of disruption is unfortunately inevitable.

HON J C PEREZ:

So the pedestrian access to Sandy Bay as well as vehicular access to Sandy Bay will be through the other side for this summer because the road will be closed as a result of the works. Can the Minister ensure that there is an adequate bus service to be able to take people round to Sandy Bay because even if they take the bus to Catalan Bay there is no pedestrian access for them to get to Sandy Bay.

HON P C MONTEGRIFFO:

Yes, I think that point is well made and I am conscious of it, access to Sandy Bay and Both Worlds will have to be through Dudley Ward Tunnel. It is not the sort of route which can be easily walked and therefore we will make provision for a bus service, indeed a shuttle service, to facilitate access.

HON A ISOLA:

Can the Minister indicate what time-scale they expect each phase will take roughly?

HON P C MONTEGRIFFO:

We expect that phase one will take 18 months and the whole of the work should take in the order of just over two years. We do expect that as the first phase is proceeding towards completion other aspects of phases two and three will be able to be undertaken. The reason why the works are not undertaken all at the same time is that otherwise access to the other parts on each side of what is now currently going to be phase one would be frustrated otherwise my instinct would have been to have all of it done at the same time and therefore cut down the construction time but that is actually not the best way to do it if we want to avoid inconvenience.

HON J L BALDACHINO:

If I understood the Minister correctly, he said that phase one would be from the Caleta Palace Hotel up to Both Worlds, is that correct?

HON P C MONTEGRIFFO:

Up to the entrance of Both Worlds.

HON J L BALDACHINO:

When phase two starts, what will be the access to Both Worlds?

HON P C MONTEGRIFFO:

My understanding is that phase two will be the section Both Worlds to Dudley Ward Tunnel and since phase one would have been completed, access to Both Worlds will be through the normal access of Sir Herbert Miles Road. Phase one will allow sufficient progress within the area of Both Worlds to allow access to Both Worlds itself and to Sandy Bay from Sir Herbert Miles Road which will be already the beneficiary of the phase one of the works.

HON J L BALDACHINO:

Obviously that section, I suppose, will have some protection to the actual Both Worlds buildings which obviously phase one does not need to have any protection because there are no buildings there. But the process of the work will entail that there shall be additional protection to Both Worlds?

HON P C MONTEGRIFFO:

I am not an engineer and I do not know what sort of protection or what sort of details will be brought to bear on this issue. We are conscious of access, obviously safety is an issue as well, we have sand slopes there that have to be attended to and we will make every effort possible to cut down inconvenience.

NO. 42 OF 1997THE HON J C PEREZ**SIR HERBERT MILES ROAD - EU FUNDING**

Can Government state on what date was the project of the widening of Sir Herbert Miles Road originally proposed for European Union funding?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

The Objective 2 1994-96 programme agreed with the European Commission in December 1994 had provisions under one of the Measures for improving the flow of tourist and business traffic.

A bid for structural fund assistance was approved by the Project Selection Committee on the 11 December 1996 and endorsed by the Chairman of the Monitoring Committee on 18 December 1996.

SUPPLEMENTARY TO QUESTION NO. 42 OF 1997

HON J C PEREZ:

What part of the cost of the £5.5 million which the Minister announced for the east side is the extent of the tenders that are being awarded for the widening of Sir Herbert Miles Road?

HON P C MONTEGRIFFO:

I have not got that information with me. What I can tell the hon Member is that the tenders that have gone out and the work that is envisaged is significantly more than the work originally identified by the DTI prior to May 1996 as a possible use of EU funds and therefore the project that the then Government wished to pursue. The extra expenditure required the virement of funds from other measures in the Objective programme to this measure in order to allow the works to proceed. The total cost which therefore includes beautification of the promenade; higher retaining walls is well in excess of the original estimates which were just for the widening of the road and I am certainly quite happy to give him a breakdown of what the different phases of the road will cost if he is interested.

HON J C PEREZ:

I am interested in knowing at least on an order of cost in terms of percentages perhaps. What percentage of the project that the Minister announced publicly as the east side project is the widening of Sir Herbert Miles Road which had European Union funding approved in December 1996?

HON P C MONTEGRIFFO:

It would be improper of me to give a percentage. The east side project which the hon Member refers to and the sum which was announced, the £5.5 million, is not a sum which relates to the entirety of the works that we have in mind. It is a sum that relates to the widening of the road; the promenade; the removal of the lead sheeting, the complete removal of the centre section; the re-vegetation of the slopes. It does not include, for example, the works that we propose to undertake for the finishing off of the reclamation area; of the resurfacing of the reclamation area; it does not include works that we have possibly projected for the area of Dudley Ward Tunnel if we are able to remove the water tanks that currently occupy that site. So the figure of £5.5 million is not a figure which is the totality of what we hope to be doing in the east side, it is the totality of the measures related to the widening of the road and the other issues I have discussed, matters connected therewith, the retaining walls, the slopes and the promenade.

NO. 43 OF 1997

THE HON J C PEREZ

CAMP BAY - WORKS

Can Government state when works are to commence to make safe the Rock face at Camp Bay, and whether the bathing facilities will be ready for use by the beginning of the summer season?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

No works have been undertaken as yet on the removal of the rockfall for the following reasons:

1. To allow the newly exposed cliff face to stabilise itself as there were still minor rockfalls occurring until recently.
2. Waiting for a dry weather spell to occur.
3. Awaiting the arrival of specialist consultants who will be viewing the rockfall and advising Government on appropriate action to be taken in terms of the present and long-term stability of the remaining cliff face.

Consultants will be arriving in Gibraltar, indeed they have arrived now, and will be undertaking the necessary survey work of the area. This is likely to take no more than a week and until such time as this work is complete and the recommendations made, no works will be undertaken. Works on the removal of the rockfall will begin immediately thereafter but it is expected that this work will not be completed before the beginning of the bathing season.

Depending on the consultants' recommendations and on any works that may result therefrom and on the progress on the removal of the rockfall, Government will decide what restrictions, if any, need to be imposed during the bathing season.

NO. 44 OF 1997THE HON A ISOLA

DTI - MR R WELLS

What are the terms of engagement of Mr Richard Wells at the Department of Trade and Industry?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Richard Wells has been contracted by the Government on a consultancy basis for a period of six months from January to June 1997 to produce an independent consultancy on EU programmes for Gibraltar in particular in the context of the proposed MOD rundown measures.

Mr Wells has been seconded by the UK DTI. Accordingly the UK DTI will receive monthly payments of £6,129 between January and March 1997 and £6,416 between April and June 1997 and expense allowances. The total comes to £50,000 over the six months period. In addition, Mr Wells has been provided a flat at Portland House from which he is working on the production of his report.

SUPPLEMENTARY TO QUESTION NO. 44 OF 1997

HON A ISOLA:

Will Mr Wells be available to private companies to advise and assist in any projects they may have which relate to EU funding or possibilities of EU funding now that he is here?

HON P C MONTEGRIFFO:

It is not Mr Wells' role to act as a consultant or an adviser to private sector entities or to third parties. Certainly I regard his expertise as available but it should be through the DTI, through the Government and I am more than happy to channel any enquiries that he could help with in that fashion but he is certainly not in the position to offer assistance directly in the way that he suggests.

HON A ISOLA:

My suggestion is obviously through the Minister's good offices to make available to businesses in Gibraltar the facility to seek assistance from an expert on European Union matters and on funding particularly and to see how those businesses can benefit from that, obviously through the Minister's office, that was the intention?

HON P C MONTEGRIFFO:

Let me add, that it is Government's intention to use the 1996-99 Objective 2 programme partly to fund a business development scheme which will require the publication of detailed guidelines as to what the private sector must do to benefit from funds that are available. Indeed Mr Wells' work is largely in this area, in helping us within the DTI to construct the programmes and the promotional literature and the guidelines which will allow the private sector to access these funds.

HON J J BOSSANO:

Can I ask the Minister, he said that the consultancy was in relation to EU funding against the context of the MOD rundown. Given that the UK Government got quite a large allocation of Konver funding and Gibraltar pro rata got its share, is it that there is another source that can be accessed at the same time as the Konver funding allocation or are we talking about following it up subsequently?

HON P C MONTEGRIFFO:

There are a whole array of funds that in theory Gibraltar could benefit from but the advice we have received is that in practice we actually have the lion's share what we could expect and we certainly place no expectations on getting access to any other fund and if there was it would be very small amounts. For example, we have an Inter Reg programme with Morocco which is another source of funding for Gibraltar but it is a very small programme. No, what we are talking about here is that we have a generous, in terms of per head criteria, Objective 2 and Konver funding programme for Gibraltar and what we are looking at is to maximise how those funds could be utilised, in particular in the context of the job losses of the MOD but obviously generally with regard to the need to diversify our economy in the context of the difficulties in other sectors that we are currently facing.

NO. 45 OF 1997THE HON A ISOLA**TRADE MISSION TO SOUTH AFRICA**

On what basis will Government decide who may accompany the Minister for Trade and Industry on the "Trade Mission" to South Africa?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

The trade mission to South Africa has been the joint initiative of a group of private sector businesses and the Government which have been keen to support this promotional effort. The Government are delighted to offer our assistance to any commercial group wishing to promote Gibraltar internationally. Because the visit to South Africa might be of interest to other private sector operators, I suggested to the initial promoters that this should be opened up to others who might wish to join the delegation. An invitation on this basis has been issued and I repeat it today. Because of the nature of the exhibitions, we are looking towards a maximum of eight firms or companies. Firm interest has been confirmed from five business entities already.

I should also inform the House that the dates of the visit have moved forward. It is likely that the delegation will visit South Africa between the 14 to 19 April 1997.

SUPPLEMENTARY TO QUESTION NO. 45 OF 1997

HON A ISOLA:

Whereas obviously we welcome the initiative jointly with members of the private sector, there is concern being expressed to us on the circular issue which states that the Government reserve the right to refuse any application without giving reasons and no correspondence will be entered into regarding suitability of applications hence the question as to what criteria Government are placing before accepting any applications? Bearing in mind that in this case it is limited to eight and possibly because of the high cost of people having to attend it may be that less than eight companies choose to go, will Government ensure that on future initiatives such as this they will make every effort to have as wide a door open as possible to the private sector to accompany the Minister on these initiatives?

HON P C MONTEGRIFFO:

Firstly, with regard to the point of the reference made in the advertising material that the Government reserve the right to accept any applicant, that is meant purely as a safety measure to exclude businesses that might simply not be desirable. There are situations when one looks at countries like South Africa which have strict exchange control requirements, where the Government should legitimately have the ability, I do not see it occurring in practice, to say, "Frankly this is a type of business which it is not useful to promote in South Africa". But I think one should read it as a general health warning and not as any attempt to give us the power to arbitrarily exclude

anybody. I repeat what I have said on other occasions which is that this Government are very willing, I have said it in my answer and I repeat it now, to assist private sector promotional efforts. Yesterday I announced teaming up with a particular insurance company with regard to the promotion of capital insurance. We are open to working with the private sector to support and even financial assistance in a joint attempt to promote Gibraltar. Therefore far from the hon Member having to remind me about being open and being amenable towards assistance, it is something that I have very much in my mind and which he should be left in no doubt at all that Government are keen to promote, I have often expressed the view, that Gibraltar business is much too insular - I do not mean that in a derogatory way - but we have been inward looking rather than outward looking and we want to help Gibraltar business internationalise and to gain customers well beyond our shores.

HON A ISOLA:

Bearing in mind the Minister has mentioned financial assistance, does the Minister feel it reasonable that companies that wish to go to this particular initiative should pay £3,000 each as a signing on fee to pay for advertising, cocktail receptions and the exhibition stand? Will Government in future, obviously it is too late for this occasion, seek to assist in the same way as happens, for example, in the tourism industry where private companies that go with Government have those costs paid for in one way or another, subsidised by the Government?

HON P C MONTEGRIFFO:

Government are happy to assist but assist where assistance is necessary. Again there is a public purse that one has to take care of. The arrangements here do include the prospect of Government assistance but the arrangements are that each participant will pay £3,000 and their own travel and accommodation. There is a budget for the whole trip and if there is a shortfall the Government have agreed to fund the shortfall. We do not believe that the shortfall will exceed something like £5,000 to £6,000. Yes, it is not an extremely generous assistance but at the end of the day this is a promotion which if the private sector can fund primarily it is proper expenditure for them to undertake. The Government are here to help both politically and to such extent as is necessary but it is not, frankly, a limitless pot into which anybody can dip into at whim.

NO. 46 OF 1997THE HON A ISOLA**GOVERNOR'S COTTAGE CAMP**

How many units have been taken up at Governor's Cottage Camp and what steps have Government taken to create activity in these units?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

No units have as yet been allocated at Governor's Cottage Camp.

These workshop units will be advertised later this month and allocations will take place shortly after.

The Government will shortly be in a position to offer a package of measures aimed at assisting new start-up businesses and for existing businesses who may wish to expand.

SUPPLEMENTARY TO QUESTION NO. 46 OF 1997

HON A ISOLA:

Bearing in mind the units were ready I think on the visit of Commissioner Anita Gradin on 5 November 1996, is there any reason for the delay in not making them available to people? Is there lack of interest or is it just not being made available?

HON P C MONTEGRIFFO:

There is anything but lack of interest. We are already, within the DTI, compiling a list of individuals who have sought to benefit from units at Governor's Cottage even though we have not yet publicly invited interest. No, the main reason, frankly, is that although the units were almost complete, there was minor work, I think related to the electricity sub-mains and electricity meters which has only recently been completed or shortly to be completed. We had been hopeful, I suppose I could add this, perhaps two months ago that we would have been able to have got into place our schemes for business assistance at the same time as Governor's Cottage was made available. Since this will take a little bit longer, the view we have come to is that it is possibly beneficial to let those units out so that people who really want to start small businesses can do so with the expectation that they will also be able to be beneficiaries of the start-up business scheme which we are working on.

NO. 47 OF 1997

THE HON A ISOLA

PORT - TRANSHIPMENT FACILITIES

What progress have Government made in the projects relating to the transshipment facility in the Port?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Discussions have been held with an Italian and a Brazilian consortium who have shown interest in using Gibraltar as a transshipment port.

The Brazilian group of companies were interested in using ready available facilities, the minimum requirements for such an operation do not exist in Gibraltar and for this reason no further progress has been possible.

The proposals by the Italian company was for the creation of a transshipment facility within the harbour. The Government entered into meaningful discussions with the company in studying the prospect for such a project.

As the conditions acceptable to the Government for taking this project forward have not been satisfied, discussions have concluded, so as not to hold up other development in the Port.

SUPPLEMENTARY TO QUESTION NO. 47 OF 1997

HON A ISOLA:

Is the position therefore that at the moment there is nothing happening on the transshipment facility, there are no takers?

HON P C MONTEGRIFFO:

The truth is that at the moment there is no proposal of a formal nature, there is interest as the hon Member can understand in many sectors on an exploratory basis, but there is no formal proposal before the Government in respect of transshipment either from the Italian, the Brazilian consortium or anybody else. I could add that, as the hon Member may know, with regard to the Italian proposal in particular, that was so massive a project and so ambitious a concept in the context of Gibraltar that serious environmental and logistical issues arose. The view we took was that we were happy to consider all those matters and tackle them head-on but that we needed to have a period of time, which we identified as six months, when there could be a feasibility and environmental impact study undertaken as to the proposals which were being put forward. Unfortunately that suggestion did not ultimately find favour and that is why we have now decided not to pursue it further.

NO. 48 OF 1997THE HON J J BOSSANO**MOD - REDUNDANCIES**

Can Government now state how many Gibraltarians will be made redundant by the MOD in 1997/98?

ANSWERTHE HON THE MINISTER FOR TRADE AND INDUSTRY

The MOD are still involved in assessing the final figures with regard to the number of redundancies.

The Government expect to be provided with final redundancy figures by no later than the end of March 1997.

SUPPLEMENTARY TO QUESTION NO. 48 OF 1997

HON J J BOSSANO:

Am I correct in thinking that if the MOD is considering the possibility of introducing an early retirement, any commencement date of the redundancy programme would have to be deferred because it would change the selection procedure for people, if there are provisions which will enable volunteers for early retirement whom might otherwise not be on the redundancy list because of their length of service?

HON P C MONTEGRIFFO:

I do not believe that the early retirement package which the hon Member refers to is the main reason for this delay nor can I explain whether what he is suggesting is in fact the case. The early retirement package is one which we generally feel confident the MOD will be able to deliver but we are constantly reminded that it is by no means sewn up and therefore how it will work, to whom it will apply and generally what terms it will be subject to, is not something that I can speculate on and therefore I am really not in a position to know how the timing issues will impact on that.

HON J J BOSSANO:

The point that I am trying to make is that if there is no early retirement package then the rules on redundancy will produce a selection of certain individuals but if there is a redundancy package then the jobs of those individuals will be safe because somebody else will be going. I do not see how one can proceed with the redundancy first and introduce the early retirement package subsequently because the guys will be gone already. Surely until they take a decision on the redundancy package they should not be allowed to proceed?

HON P C MONTEGRIFFO:

Well, that might be the case but there are other issues also that arise. There is the issue, for example, of the position of first in/first out; there are agreements of that nature that also impact on the ability of the MOD to decide how and to what extent it will run down and all those are issues that are being put into the wash and which, hopefully, by the end of March will have allowed them to declare a figure on which all the other aspects related to the rundown will be able to take place.

HON J J BOSSANO:

I cannot agree with that answer, Mr Speaker. Surely the Minister will agree that precisely that is the point? Since the normal procedure is last in/first out, the last in is unlikely to be somebody with enough service to want early retirement. If there is an early retirement package then the last in will not be the first out, so the package has got to be there before he is out. Surely the MOD must accept that they have got to take a decision one way or the other. I would suggest that the Government are perfectly entitled to say to the MOD that there is little point in making the people redundant first and then introducing early retirement afterwards, the whole idea of the early retirement is to reduce the redundancies.

HON P C MONTEGRIFFO:

Absolutely, yes, that is the intention with which the package is being discussed. There is hardly any merit in making people redundant, let them go through the trauma only until the package can be made. The whole purpose of the package is to reduce the figures which then become subject to analysis with regard to redundancy, one invites people to become retired early to therefore cut down the problem of the workforce one is trying to streamline.

HON J J BOSSANO:

Therefore my original question was the identification of the numbers of Gibraltarians to be made redundant surely cannot proceed at all until a decision has been taken as to whether early retirement is going to be on offer or not?

HON P C MONTEGRIFFO:

That would seem to make sense. What I cannot do is confirm to the hon Member that that is the discussion which the MOD is necessarily having. It would seem to be logical that that should be one of the factors they are taking into account because otherwise the early retirement package becomes, if not meaningless, certainly much less relevant.

NO. 49 OF 1997

THE HON A ISOLA

STREET MARKET

Have Government offered the Street Market traders a vault at Casemates as an alternative to moving to the Public Market?

ANSWER

THE HON THE CHIEF MINISTER

The Government have expressed to the Street Market traders our wish that they do not remain in the Piazza or on or near Main Street. The Government's policy is that a flourishing street market should be developed at the site of the Public Market. Government have appraised the street marketeers of our plans for the Casemates vaults and have indicated that the marketeers would be free to submit a tender for one of them like everybody else.

SUPPLEMENTARY TO QUESTION NO. 49 OF 1997

HON J C PEREZ:

So the ultimatum that the Chief Minister gave them in the House at the last Question Time has been dropped whilst the marketeers consider whether to put in a tender for the vault or not? They are not being told they have to go to the Public Market whilst they consider whether to put in a tender for the vault?

HON CHIEF MINISTER:

No, that is not the reason why the street marketeers are still where they are. The reason why the street marketeers are still where they are is because the Government have not got around to re-addressing the issues since last it was addressed but it is not the case that the street marketeers, as far as the Government are concerned, may stay where they now are until Casemates is ready or until they decide to apply for a vault or not.

HON J C PEREZ:

I have not suggested that. Can the Chief Minister state that the ultimatum that they received is still there or whether they have dropped the ultimatum? Whether the Health Department ultimatum that they received that he mentioned at the last Question Time.

HON CHIEF MINISTER:

I am not aware that I had given the street marketeers an ultimatum. It is true that they were written to, I think, before Christmas, and a date was mentioned in that letter and that following discussions with me and the Ministry in question, that date was allowed to pass without anything dire happening to the street marketeers and that no new date has been fixed by which the Government wish them to move, all that is true. The Government's policy in relation to the street market has not changed.

HON J C PEREZ:

Were they to accept or were they to be successful in acquiring a vault at Casemates will the Government proceed then to allocate stalls in the Public Market and create a public street market in the area of the Public Market?

HON CHIEF MINISTER:

Absolutely so and they have been told that. In other words, them moving into a vault at Casemates would mean the disappearance of the street market in Gibraltar other than down in the street market whether the Government are interested in developing a street market, whether it includes these particular people or not depending on whether they have moved into the Casemates vault. But whether or not they move into the Casemates vault there will be a street market encouraged and assisted to be established.

NO. 50 OF 1997

THE HON R MOR

SPANISH PENSIONERS

What discussions have Government held with the Junta de Andalucia or other Spanish representatives with respect to the recovery of advances made by the Junta to Spanish pensioners?

ANSWER

THE HON THE CHIEF MINISTER

Two meetings were held between officials of the Department of Social Security and the Instituto Andaluz de Servicios Sociales on the 28 October 1996 and the 3 December 1996 to discuss possible arrangements for the recovery of payments made by the Junta de Andalucia to Spanish pensioners. In addition, this issue was raised with me when I visited the Palacio de San Telmo on 29 October and met the Delegado de la Presidencia, Senor Gaspar Zarras and the Delegado de Asunto Sociales, Senor Isaias Perez Saldeno.

The position of the Government of Gibraltar on this matter is that such arrangements would be put into place provided that each individual pensioner gives the necessary valid and binding authority for the Government to forward money to the Junta on the pensioner's behalf. In this context, the Government are currently considering legal advice.

SUPPLEMENTARY TO QUESTION NO. 50 OF 1997

HON J J BOSSANO:

When the Government talk about the consent of the pensioner, am I right in saying that that would be a consent that would have to be obtained by the Junta and not by the Government?

HON CHIEF MINISTER:

Absolutely, although the Government would establish the legal document and the contents of the document and the manner in which it has to be obtained and signed and witnessed etc, because of course the document has got to be legally valid and binding in Gibraltar. In other words, if a pensioner authorises the Government of Gibraltar to instead of paying the pension to him to send it on his behalf to the Junta in repayment of money that the pensioner owes the Junta, the Government have got to be absolutely certain that we are getting a good receipt and discharge from the pensioner and that the Government are not then exposed to a claim in the court of Gibraltar by that pensioner to be paid that money again, notwithstanding that the Government have sent it to the Junta on that pensioner's behalf. So they will have to do the legwork but it will have to be done to a standard and by a methodology established by us.

HON J J BOSSANO:

In these meetings that have been held with Spanish representatives, have they said how much money they claim to be owed?

HON CHIEF MINISTER:

Yes, I have a note of the figure here but from memory it is three and a half billion pesetas which I understand is about £40 million, depending on exchange rates.

NO. 51 OF 1997

THE HON J C PEREZ

DTI/BUILDINGS AND WORKS - RECRUITMENT

Can Government confirm that it is their intention to recruit two senior managers from outside the Civil Service to head the Department of Trade and Industry and the Buildings and Works Department?

ANSWER

THE HON THE CHIEF MINISTER

The Government do not have the intention described in the question.

SUPPLEMENTARY TO QUESTION NO. 51 OF 1997

HON J C PEREZ:

Can the Chief Minister state whether there are two vacancies for the Head of the Department of Trade and Industry and to head the Buildings and Works Department which are at present vacant?

HON CHIEF MINISTER:

The question asks whether the Government have the intention to recruit two senior managers from outside the Civil Service to head the Department of Trade and Industry and the Buildings and Works Department and the answer is no. There is a vacancy for the Head of Buildings and Works Department but that will be filled, as far as the Government intend, from within the service in the usual way. The Government are studying a restructure of the Department of Trade and Industry which may result, indeed will result, in the recruitment of Section Heads in particular commercial disciplines from outside the Service but there will be no Head of the Department of Trade and Industry from outside the Service.

HON J C PEREZ:

Will there be a Head from inside the Civil Service? At the moment there is not a Head.

HON CHIEF MINISTER:

That matter is still being reviewed, it seems not. The Department of Trade and Industry, as it is to be restructured, will include so many different technical, professional and commercial disciplines, that it is pointless to seek somebody who can sit on top of it all because no person can have all the necessary expertise. So basically there will be a Head in each of the various sections within the Department answering to the Minister.

HON J C PEREZ:

Will the post of, I presume Grade 7 in the Buildings and Works Department be open solely to technical grades or will it be open to other grades within the Civil Service?

HON CHIEF MINISTER:

The Government do not share the view that has been expressed, I know, by some that the Head of Buildings and Works should necessarily be a technical grade.

HON J C PEREZ:

is there a dispute with the union over that issue?

HON CHIEF MINISTER:

It depends how one defines a dispute. If by a dispute the hon Member means that the union has expressed the view that it thinks that it should be a technical grade, then I can confirm that the union has expressed that view. The Government do not share that view and precedent would appear to be on our side.

HON J C PEREZ:

Is it not the case that the post is at the moment not being advertised while the Government pursue their policy on dialogue with the union to see whether they can agree on how the post should be advertised or is it that the Government have already taken a decision that it will be open to other than technical grades within the Service?

HON CHIEF MINISTER:

The Government have decided that the post will be open to other than technical grades within the Service but the Government have not decided that it should be a technical grade or not a technical grade. In other words, when applicants apply the best man for the job will get the job regardless of whether he is a technical grade or not a technical grade.

HON J C PEREZ:

But it will be open on that basis?

HON CHIEF MINISTER:

It will be open to all comers to apply, is that not a novelty?

HON J C PEREZ:

Will the Chief Minister state whether these, let us call them middle managers that are being looked at in the restructure of the Department of Trade and Industry whether qualified people within the Civil Service will be able to apply for those posts whenever they are made available?

HON CHIEF MINISTER:

Everybody can apply and certainly the Government already know and have told the GGCA who have accepted, that two of the posts in question there is definitely no expertise within the Service; in respect of I think one of them it is in the sort of area where expertise could be acquired with the passage of time from within the Service and I think in that case the Government will recruit a graduate understudy to eventually take over from any non-resident recruit.

NO. 52 OF 1997

THE HON A ISOLA

IMPORT DUTY - REPORT

Have Government received the review they commissioned into the import duty structure on 1 November 1996 and, if so, will they make such report available to the public?

ANSWER

THE HON THE CHIEF MINISTER

The report has been received and is being studied. The report is advisory and Government have not yet decided whether or when to make it publicly available.

NO. 53 OF 1997

THE HON A ISOLA

COALING ISLAND - PROPOSALS

Will Government state what proposals, if any, they have received into the use of Coaling Island?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The Government have received two proposals for Coaling Island, one involves the establishment of a maritime centre and the other relates to watersport activities.

SUPPLEMENTARY TO QUESTION NO. 53 OF 1997

HON A ISOLA:

Are they local enquiries?

HON P C MONTEGRIFFO:

They are local enquiries except that one of the enquiries does involve shareholders from outside Gibraltar, they are localised inasmuch as the company already has a presence in Gibraltar and is operating in the marine industry.

NO. 54 OF 1997

THE HON J GABAY

LINE WALL ROAD - LOVER'S LANE

Is it the intention of Government to construct a major road through Lover's Lane?

ANSWER

THE HON THE CHIEF MINISTER

The Government are considering a plan to widen that part of Line Wall Road known as Lover's Lane.

SUPPLEMENTARY TO QUESTION NO. 54 OF 1997

HON J GABAY:

Would that entail knocking down part of the wall that surrounds the Convent garden and doing away with the arcade?

HON CHIEF MINISTER:

Yes, the plan to widen what we call Lover's Lane would certainly involve knocking down the Convent garden perimeter stone wall and rebuilding it a metre or two, I do not now remember how many, further into the garden. Naturally the Government, committed as we are not to do unnecessary damage to Gibraltar's valuable heritage, sought the advice of the Heritage Trust as to whether this involves doing any damage to Gibraltar's valuable heritage and the Heritage Trust commissioned archaeologists, I think from Spain, because it was thought that there might be, I think it was a medieval wall lurking around somewhere under there. It has been definitively established that the demolition of the Convent garden wall which is itself of no historical interest does no damage to any medieval wall because the medieval wall was indeed found but it has been found to be under the existing road. What runs underneath the Convent garden wall is apparently a sewer which is of relatively recent origin. So it would involve the demolition of the Convent garden wall and indeed also the arch over Lover's Lane which is an arch created only to support the extension of the Secretariat building by one room that goes over the road and which we have been advised is not part of the original building and has no heritage importance specifically.

HON J GABAY:

I am surprised that the Gibraltar Heritage Trust has approved the construction of the road.

HON CHIEF MINISTER:

I have not said that the Gibraltar Heritage Trust has approved it. I have said that the Gibraltar Heritage Trust was consulted about the heritage aspects of the wall and they have expressed the view of that matter in which they were consulted. It is true that they have expressed views on other things as well but in respect of matters where the hon Member's opinion and mine are as valuable and valid as theirs.

HON J GABAY:

Is the Chief Minister not aware that there would be other considerations apart from purely archaeological reasons on grounds that are environmental, aesthetic, historical and even on a lighter vein, of an amorous nature, particularly for those of the older generation?

HON CHIEF MINISTER:

Starting with the latter, I have to say that I do not share his enthusiasm, I did not court my wife in Lover's Lane but I understand that many people did and now I know that it includes the Opposition Member. We always found much more private places to court each other.

HON J GABAY:

Actually I got married in Iran not in Gibraltar.

HON CHIEF MINISTER:

Yes, that is true. The Government have not decided whether to proceed with the widening plan but the Government's interest in proceeding with the plan is none other than to achieve greater sensitivity to our heritage and our environment in other areas. In other words, the only justification for proceeding with the plan, for doing the road widening there, is not as some letter writers in a local newspaper have suggested simply to better accommodate or to further accommodate traffic but rather to channel traffic from outside much larger areas and many more streets of the old town in a way that would enable the Government to exclude traffic from many, many streets in Gibraltar; extend the Government's pedestrianisation scheme to many areas of Gibraltar so that the old town can be enhanced and developed not just for the quality of life and quality environment, but indeed for touristic purposes. The diversion of south bound traffic along Line Wall Road and straight down Lover's Lane and out of Main Street through Referendum arch is in a central part of a much wider plan that is being studied for a complete change in traffic circulation that would facilitate the decongestion of traffic, the exclusion of traffic from large areas of Gibraltar's old historic town. So the Government are aware that there are mixed feelings on this particular project but to the extent that the Government are interested in pursuing it and the decision has not been made, it is driven by whether greater things can be achieved in the very areas that the hon Member has described rather than being insensitive to those areas.

HON J GABAY:

I would like to make the Chief Minister aware that I share the views of a number of representations that have been made to me on the grounds that I have previously mentioned. From the historical angle it is one of the unspoilt areas of the town and as being the same as appears in plans in the 1840's. It is a complimentary aspect of Wellington Front for which a number of years ago we had special plans for refurbishing it and I feel that quite a number of people who love our heritage will feel rather incensed by this, particularly from a Government that have, at least in words in their electoral programme, said to the public that they will give heritage very, very special attention which was a pleasing feature for many of us.

HON CHIEF MINISTER:

Yes, but being sensitive to heritage does not mean that one does nothing if just one or two people say that would it not be a great shame to spoil Lover's Lane which is the place where they used to court in their childhood. The hon Member knows that the Government are committed to consultation and indeed that we have consulted and if the advice had been that there was damage to an important part of Gibraltar's heritage perhaps the Government would not have proceeded. Consultation does not mean that one asks people's permission to do things; it means that one seeks advice from people who know more about things than one does and then one makes the decision based on the advice available to one. My opinion and the hon Member's, for that matter, about whether Lover's Lane is so pretty that it should not be spoilt does not raise matters of heritage, it simply raises matters of opinion. Of course, the hon Member must also know, and I know that he knows, that in a place like Gibraltar if one pursues that line strictly and to the limit, one would develop nothing. So there is always a balancing act, a decision to be made as to whether one achieves something in one area at the expense of perhaps doing something that one would prefer not to have had to do in another and that is a judgement that the Government have to make and will make in relation to the widening of Lover's Lane even though if the Government decide to proceed, the Government are fully aware that there are many people who will not like the decision such is the nature of being in Government.

HON J C PEREZ:

I presume this is part of the proposals contained in the overall study for traffic that the Government commissioned nine months ago?

HON CHIEF MINISTER:

No, I do not think so. It is something that has actually been thought of within Government much more recently. It may be that other people have come up with the idea before, I know that plans to widen Lover's Lane have been mooted before on many occasions. I do not know whether the people who intended to widen it then wanted to widen it for the same reasons as we want to widen it now. In other words, whether the reason in terms of general traffic flows is the same then as the reasons that motivate us, I cannot say that but I am aware of the fact that this is by no means a new idea.

HON J C PEREZ:

Is the Chief Minister aware, certainly the plans that I saw which were originally prepared by an AACR administration before 1988, that the widening of the road from that aspect necessitates the pulling down of Treasury Building which the Government are presently repairing?

HON CHIEF MINISTER:

It does not necessitate the tearing down of the Treasury Building and if it did the Government would certainly not proceed because most of the Treasury Building is indeed a historical building. The parts of it that need to be pulled down are a few jagged protrusions on the western side of the Treasury Building which are not part of the original building, which were annexes and sheds and additions added to after and I think with the exception that there is a small intrusion into the garden, but there is absolutely no damage to the original building that was put up there originally.

HON J C PEREZ:

It would not be wrong to presume that once the study on the overall traffic flow of Gibraltar is ready that that proposal will be merged with the recommendations that the Government receive from that study and that therefore if both are not looked at the Government would not be in a position to proceed with the project?

HON CHIEF MINISTER:

Yes, the problem there is is that the Treasury works are on-going and we cannot wait to finish the Treasury Building until we decide whether we want to widen Lover's Lane. So what the Government now have to decide is whether to demolish the Treasury Building corners that need to be demolished and then leave the rest of it for some future date, the Governor's wall and all of that. The decision of course, had the Heritage Trust come back saying that there is some vital historical monument so that the road widening at Lover's Lane was never definitely going to proceed ever, then of course the Government would not have bothered, in the context of the refurbishment of the Treasury Building, to knock down the corners that need to be knocked down. Let me say to the hon Member that the study to which he keeps on referring has now arrived, the study from the Canadian Parking Company, it is being considered; it comes linked to parking proposals and parking management proposals which are not acceptable to the Government but, of course, those are being discussed by the Minister for Government Services to see if the proposals can be improved in a way that makes them acceptable to the Government but, of course, we have the benefit of the traffic flow ideas that came with it.

HON J C PEREZ:

Will the Government be making either the proposals of the traffic flow aspect public or at least the decisions of what parts of those proposals they are prepared to accept and implement public before they actually put it into effect?

HON CHIEF MINISTER:

Yes, the Government would certainly entertain a process of consultation before such a radical change in Gibraltar's traffic arrangements. Although there may be, as the hon Member knows are essentially even when one is trying to evaluate a plan and decide what it is that one wants to recommend, there may from time to time be a need for temporary experiments, for example, for a week or two reverse the traffic in this street or that to see if it is sensible to put in; subject to that which may occur without consultation, the final result will be published and consulted on before it is actually implemented.

HON J L BALDACHINO:

Can the Chief Minister state, because he has mentioned the Treasury Building which obviously pieces have been added on which was not the original building, the Duke of Kent House on the west side will not be affected at all will it?

HON CHIEF MINISTER:

I can confirm that, it will not be affected.

NO. 55 OF 1997THE HON J L BALDACHINO**FRONTIER WORKERS**

Can Government confirm that employers in Gibraltar can require cross frontier employees to take up residence in Gibraltar?

ANSWERTHE HON THE CHIEF MINISTER

It is up to employers to take legal advice on their EU obligations in the field of employment. However, as hon Members know, the Government of Gibraltar often impose this condition in respect of persons employed by the Government.

SUPPLEMENTARY TO QUESTION NO. 55 OF 1997

HON J L BALDACHINO:

Obviously, it would not go against EEC Directives if the condition was on residence and not on nationality, would it?

HON CHIEF MINISTER:

I cannot pretend to give legal advice on matters of European Union law on which I am not an expert, I have tried to choose my words to the answer carefully. The Government would not knowingly commit a breach of our legal obligations.

HON J J BOSSANO:

Surely, the Government expect that people should know what the law is if they are to comply with it. Is it against the law for an employer to require in an advert that applicants must be either residents of Gibraltar or prepared to take up residence in Gibraltar?

HON CHIEF MINISTER:

I understand that there are circumstances in which it would be lawful for such a condition to be imposed but they would depend on the circumstances. I hasten to add that no employer that might be listening to this should regard a debate in the House as a valid source of legal advice which it is not, I am giving my very limited understanding. If the hon Member wants to know the answer to that I am quite happy to ask the Attorney-General to look into the matter and give him a legal opinion.

HON J J BOSSANO:

The original question was not so much of a question of a legal opinion. I would have thought it is perfectly legitimate to say whether something is permissible under Community law or not permissible under Community law particularly where this could have an important impact on our ability to introduce controls in the labour market if they are permissible. Since there have been a number of adverts appearing which require residence in Gibraltar then it seems to me that either those adverts are contrary to Community law or the answer must be yes.

HON CHIEF MINISTER:

There is a third possibility and that is that the Government are taking the view that it is permissible, are taking the risk of being mistaken and do not want other people to take the same risk without establishing their own independent legal advice.

HON J J BOSSANO:

So is the answer then that the Government are taking the view that it is permissible?

HON CHIEF MINISTER:

The Government are continuing to take the view, as all previous Governments have taken, that it is permissible.

HON J J BOSSANO:

As far as I am aware, the distinction that all previous Governments have introduced in terms of inviting applications has been on grounds of nationality in the public service which, as far as I am aware, is in fact not covered by the right of employment in the free movement of labour. In other words, that each member State can require employees to be its own nationals and a particular department or a particular function may require, for technical reasons, that somebody should be here to be accessible. But that is not really the nature of the question. We have seen a number of adverts for the first time saying "applicants must either be in Gibraltar or be prepared to live in Gibraltar" and therefore since we have seen it for the first time and never before, we are asking the question whether this indicates that it is possible for employers to give preferential treatment or even to exclude people who are not living in Gibraltar?

HON CHIEF MINISTER:

I understand from what the hon Member has just said that he is referring to advertisements other than in respect of vacancies by the Government because the Government's form of advertisement has not changed unless somebody has changed them without consulting me. I have not seen any private sector advertisement but on the assumption that what the hon Member is telling me is true, that there is now a growing tendency in the private sector for vacancies to be advertised in that way, I can only say that presumably the employer has taken legal advice and it is possible. I am not in the possession of legal knowledge such as would enable me to give reliable advice as to whether that is allowed or not allowed but as the hon Member thinks that it might be an important matter, the Government will form a view on this and will advise the private sector accordingly.

HON J J BOSSANO:

I have not said there is a growing tendency in the private sector to do it and, in fact, as far as I am concerned, the fashion was started by the company the Chief Minister created called Gibraltar Community Projects and that is the first advert that I have seen doing it. Since that must be required to comply with the same law that applies to other private sector firms notwithstanding that it is 100 per cent Government-owned, if this is possible then obviously it is something that is worth encouraging.

NO. 56 OF 1997THE HON J J BOSSANO**INCOME TAX - PAYE ARREARS**

What is the present amount of arrears of PAYE in respect of the tax year 1995/96 and the amount of arrears in respect of previous years?

ANSWERTHE HON THE CHIEF MINISTER

The amount of arrears of PAYE in respect of the tax year 1995/96 stood at £1,285,066 on the 31 January 1997. The arrears in respect of previous years totalled £2,436,272.

SUPPLEMENTARY TO QUESTION NO. 56 OF 1997

HON J J BOSSANO:

Can the Government confirm that this is in line with the position that has existed at this time in relation to previous tax years? That is to say, that it is similar to the position of January 1996 in respect of the immediate and the backlog at that time?

HON CHIEF MINISTER:

I have information to hand about how much is owed today in respect of each of the last few years but I do not have to hand information that would enable me to inform the House as to whether the position today in respect of last year is worse or better than the position this time last year in respect of the year before that which I suspect is what the supplementary question is getting at. My understanding is that there had been a gradual improvement in the PAYE arrears position over the last two or three years and that that position has not yet deteriorated. But if the Leader of the Opposition is interested in that information I will certainly procure it and have it sent to him. Let me just see if this information is available, just a moment, Mr Speaker. No, I have further information which is the cumulative arrears during each of the months during the year in question but not the information that has been sought in the supplementary.

HON J J BOSSANO:

Can I just say that what I am interested in is if there is a change in the trend and therefore when the Chief Minister has information if he lets me have it, that is what I am looking for.

NO. 57 OF 1997THE HON J J BOSSANO**INCOME TAX - COMPANY TAX**

Can Government state how much of the company tax collected in the financial year 1995/96 was in respect of amounts payable in that year and how much was in respect of amounts due in respect of preceding years?

ANSWERTHE HON THE CHIEF MINISTER

The total amount of corporation tax collected in the financial year 1995/96 was £12,138,630. Of this £1,638,745 was in respect of assessments raised for the tax year 1995/96. £10,499,885 was in respect of assessments raised for other years.

SUPPLEMENTARY TO QUESTION NO. 57 OF 1997

HON J J BOSSANO:

I do not know whether the information is readily available. When we refer to the £10 million as assessments raised in respect of previous years, is it that they are assessments that had been sent out to the companies prior to that year or is it that they are assessments made in that year retrospectively?

HON CHIEF MINISTER:

The latter because the question asks for company tax collected in the financial year in respect of amounts payable in that year and of course amounts can be payable in a very different year to the one from which the taxable income arises because, for example, if taxpayers have defaulted in submitting accounts and the Tax Office eventually catches up with them they raise assessments and they become payable in a year which has no connection with the basis period or anything else. So the answer is the second of the two scenarios described in the supplementary question; that they relate to much earlier. I had information, for example, of the nearly £10.5 million which I said related to other years; £5.2 million related to the year 1994/95; £3.2 million related to the year 1993/94 - I am rounding the figures to the nearest hundred thousand - £1.1 million related to 1992/93 and there are amounts going back all the way to 1988/89, although by that stage very little, £18,000 or £19,000.

NO. 58 OF 1997THE HON J J BOSSANO**INCOME TAX - COMPANY TAX**

Can Government state how much of the company tax collected in the present financial year up to October 1996 was in respect of amounts due in the current year and how much in respect of amounts due in respect of preceding years?

ANSWERTHE HON THE CHIEF MINISTER

The total amount of corporation tax collected up to October 1996 was £7,232,783. Of this, £578,814 was in respect of the current tax year 1996/97. £6,653,969 was in respect of assessments raised for other tax years.

SUPPLEMENTARY TO QUESTION NO. 58 OF 1997

HON J J BOSSANO:

Could I ask the Chief Minister to provide a breakdown similar to the one he has just given us for 1994/95 and 1993/94 in respect of the £6.6 million?

HON CHIEF MINISTER:

Yes. That is, as I have already said, £578,814 in respect of 1996/97, rounding it to the nearest hundred thousand; £4.4 million for 1995/96; £1 million for 1994/95; £1 million for 1993/94, £200,000 for 1992/93, and then progressively down from £50,000 right down to £13,000 going back year by year to 1988/89.

NO. 59 OF 1997THE HON J J BOSSANO**GIBRALTAR PASSPORTS**

Can Government confirm whether the Spanish Government has claimed that the word "Gibraltar" on the cover of our passports fails to comply with the requirements of Annex 1B of the relevant 1981 EU Resolutions?

ANSWERTHE HON THE CHIEF MINISTER

At the Brussels Process meeting in Madrid on 22 January, Spain did claim that EU common format British passports issued in Gibraltar do not conform to the 1981 Intergovernmental Resolution on the common format.

However, the Foreign Secretary made clear that the passports do conform and that, in any case, the Resolution is not binding. He also stated that all EU member States, including Spain, and the European Commission have accepted these passports since they were introduced in 1992.

SUPPLEMENTARY TO QUESTION NO. 59 OF 1997

HON J J BOSSANO:

Can the Government confirm therefore that in the light of that answer the reported Joint Commission between the United Kingdom officials and Spanish officials is not being set up to address this issue?

HON CHIEF MINISTER:

When the Government discovered that it was proposed to set up this Joint Commission I wrote to the Foreign Office, through the Governor, asking for a detailed exposition of the terms of reference of this Commission. In other words, I wanted to know whether the terms of reference would be what some press reports had said, namely, simply to look at the technical question of the 13 or 14 individuals who had British passports issued in Gibraltar but are not entitled to free circulation within the European Community which, as far as the Government are concerned, would be a perfectly acceptable technical enquiry, or whether as other sections of the media had reported in Spain, this was going to be a wide-ranging enquiry into whether or not all Gibraltar issued passports with the word "Gibraltar" conformed or not with the Directive. We have not yet received a formal reply on that in writing but it has been indicated to me that the British understanding of what was agreed was the former and not the latter. In other words, the limited enquiry.

HON J J BOSSANO:

Would the Government agree that whereas the former is a perfectly legitimate thing, the latter would not be because having cleared the format of the Community passport and made it available to the relevant authorities before it was issued, it would be unacceptable that we should now have to re-negotiate that with the Commission made up of Spanish representatives?

HON CHIEF MINISTER:

I confirm to the hon Member that that is the position of the Government. It would not be acceptable to the Government that ground should now be given to Spain on the format of British passports issued in Gibraltar as it has been issued since 1992 and our representations to the British Government are in that vein and we will certainly be vigilant to ensure that no ground is given in this area to the extent that we can prevent it.

NO. 60 OF 1997THE HON J J BOSSANO**GIBRALTAR COMPANIES IN WHICH THE SPANISH STATE HAVE AN INTEREST**

Can Government state what is their public policy in respect of companies seeking to trade in Gibraltar in which the Spanish State has a shareholding or interest?

ANSWEROTHE HON THE CHIEF MINISTER

The question raises an issue which is currently the subject of a judicial review being brought against the Gibraltar Government. The matter is therefore sub judice and the rules of the House prevent the Government from answering the question fully.

SUPPLEMENTARY TO QUESTION NO. 60 OF 1997

HON J J BOSSANO:

I do not think it has been answered at all never mind fully. Can the Government say whether they have taken advice themselves on the availability of having a public policy in respect of such companies?

HON CHIEF MINISTER:

The case which is the subject of the judicial review which is a case in which a company called A S Marrache and Sons Ltd of which a subsidiary of Tabacalera is a 50 per cent shareholder, has sought an application to import tobacco into Gibraltar so that it can then retail it and wholesale it from premises in Main Street in Gibraltar, raises many issues of public policy. The litigation is not being resisted on the basis implied in the question although certainly the issue raised in the question is an area that generally concerns the Government because of course the policy of the Government, as the hon Member knows, is to encourage mutual co-operation with Spain. The word "mutual" is as important as the word "co-operation" and we do not regard co-operation to be mutual if our markets are fully opened to their companies and theirs is not to ours, but that is not the basis on which the application has been considered nor the primary basis of the defence in the case which is on issues related to the Government's public policy in controlling the supply and exportation of tobacco.

HON J J BOSSANO:

My supplementary was not aimed at establishing what was the case or the basis for opposing the application but whether the Government had taken advice - I will not ask what the advice is - on what freedom it is capable of enjoying in the context of Community law in order to have a policy, whatever that policy may be, I am not asking him to say it either.

HON CHIEF MINISTER:

Yes, the Government have taken advice in every different area of this matter. For example, one of the issues which has been argued on behalf of A S Marrache and Sons Ltd is that Articles 30 to 36 of the Treaty of Rome relating to the free movement of goods applies to Gibraltar and the Government have both a political view and now legal advice, which I understand was also available to the previous Government, as to whether those Articles of the Treaty of Rome actually apply to Gibraltar or not. Many of the arguments raised by the applicant depend on those Articles applying. If they do not apply many of their arguments are completely invalid. So the Government have legal advice in all the areas upon which it seeks to rely in this case and in relation to our policy more broadly, as I have described it, and the Government are aware of what are the strengths and weaknesses in its position.

NO. 61 OF 1997

THE HON J J BOSSANO

IMPORTS AND EXPORTS

Can Government state what was the value of imports and exports in 1996, excluding petroleum products?

ANSWER

THE HON THE CHIEF MINISTER

The provisional 1996 figures for imports, excluding petroleum products, is estimated to be around £300 million and exports, also excluding petroleum products, is estimated at some £70 million.

NO. 62 OF 1997

THE HON J J BOSSANO

I&D FUND - EXPENDITURE

Can Government state how much of the amount provided in the Improvement and Development Fund, Head 104, Subhead 6, Minor Capital Works had been spent by December 1996 and how much it is estimated will be spent in the months up to end March 1997?

ANSWER

THE HON THE CHIEF MINISTER

A total of £312,000 was spent under the Improvement and Development Fund Head 104, Subhead 6, Minor Capital Works as at the end of December 1996. It is expected that the balance of £188,000 will have been either spent or committed by the end of this financial year.

SUPPLEMENTARY TO QUESTION NO. 62 OF 1997

HON J J BOSSANO:

Can Government confirm whether the refurbishment of the old Secretariat building is being charged to this subhead?

HON CHIEF MINISTER:

Such payments as have been made in respect of that project, according to the information I have in front of me in relation to the next question on the Order Paper, appear to have been charged to Subhead 4, Government Buildings.

NO. 63 OF 1997THE HON J J BOSSANO**I&D FUND - EXPENDITURE**

Can Government state how much of the amount provided in the Improvement and Development Fund, Head 104, Subhead 4, Government Buildings had been spent by December 1996 and how much it is estimated will be spent in the months up to end March 1997?

ANSWERTHE HON THE CHIEF MINISTER

A total of £200,000 was spent under the Improvement and Development Fund Head 104, Subhead 4, Government Buildings as at the end of December 1996. It is expected that the balance of £300,000 will have been either spent or committed by the end of this financial year.

SUPPLEMENTARY TO QUESTION NO. 63 OF 1997

HON J J BOSSANO:

When the Government say that it is committed, if in fact, they are saying that the payments may not actually be made within this financial year. Does not that, in fact, allow it to be able to take on projects which we were previously indicated could not be done because the funds were not available?

HON CHIEF MINISTER:

Yes, I suppose it follows that if one spreads out the expenditure over two financial years then it enables one to start more projects in the first financial year than one otherwise could have done, I suppose that follows as a matter of logic. I think, it is important to remember that the new administration inherited a budget which was not of our making and that obviously there may have been provision for projects in that budget written in by those whose budget it was, namely, the Opposition Members. I think it is inevitable that a new administration will want to take a look at those and see whether there is any difference in priority, whether they want to proceed with some projects, whether they wish to give priority to others. Certainly, that exercise is taking place. It may well be that there are projects that would have proceeded by now had there not been a change of Government which have been delayed as a result of the change of Government. I am not saying that there are or that there are not but it would seem to me logical if there had been. For example, there is the project that we discussed in the last meeting of the House relating to the relocation of the Electricity Depot in Irish Town, which is the one that comes to my mind right now, but I am not conscious that the Government have cancelled any projects of which we had knowledge and were in the pipeline although some may well have been delayed in the implementation.

HON J J BOSSANO:

I accept entirely that it is the prerogative of the Government to have a different set of priorities but would the Chief Minister agree then that the issue is not that they wanted to do it but that there was insufficient money in the vote because in fact although they may have £300,000 committed, if they have actually spent £200,000 in nine months they are unlikely to spend the £300,000 in the remaining three months and therefore we are likely to see the vote showing an under-expenditure at the end of the financial year.

HON CHIEF MINISTER:

Yes, given the use of the supplementary reallocations vote, of course, the actual size of the vote has never been a constraining factor because as the hon Member knows, additional funds can be brought into this or any other Head if the Government wanted. But it is true that on the basis of the money spent so far the Government have not yet spent everything that was voted by the House for these subheads back in May or early June when we passed the budget, that is absolutely true.