

GIBRALTAR

HOUSE OF ASSEMBLY



QUESTIONS AND ANSWERS

**26TH JUNE, 1997
NO. 161 TO NO. 224**

INDEX

QUESTIONS & ANSWERS

26th June 1997

Questions 161 – 224

SUBJECT	NO(S)	PAGE(S)
Consolidated Fund Balance	218	107
Cruise Liner Visits	181	45
Crutchett's Ramp – Petition by Residents	183	48
Education – Bishop Fitzgerald and Governor's Meadow Schools	195	70
Education – Proposals for a University	197	72
Education – Refurbishment of Schools	196	71
ETB – Unemployed Gibraltarians	177-178	38-39
ETB – Vocational Cadets	175-176	36-37
Exempt Companies	209	95
Frontier Workers	190	65
FSC – Insurance Companies	203	83
GHA – Flea Epidemic in St Bernard's Hospital	164	15
GHA – Medical Review 1996 – Recommendations	167	20
GHA – Personal Emoluments – Administrative Grades	165	16
GHA – Post of Chief Minister	173	29
GHA – Reciprocal Healthcare Agreement	161	1
GHA – Refurbishment Works	166	17
GHA – Staff Nurse – Qualifications	163	8
GHA – Trainee Enrolled Nurses – Qualifications	162	7
GHA/MOD – Secondary Medical Care	168-172	24-28
Gibraltar Banks – Deposits	204	86
Gibraltar Government Lottery	198	74
Gibraltar Identity Cards	222	112
Gibraltar International Country Code	223	113
Gibraltar Nynex – Telephone Bills	200	76
Gibtel and Nynex – Merger	201	77
Government Housing	186	57
Government Housing – King's Bastion	189	64
Government Housing – Tower Blocks	199	75
Government Housing – Vacant Units	187-188	60-63
Government Subsidies	182	46
I&D Fund – Expenditure	221	110
I&D Fund – Forecast Outturn	220	109
I&D Fund – Replacement of Balconies and Windows	179	40
Illegal Russian Immigrants	208	91
Import Duties	211	97
Imports and Exports – Petroleum Products	212	99
Income Tax – Company Tax	214	101
Income Tax – Company Tax Payable	216	104
Income Tax – PAYE Collected	213	100
Income Tax – PAYE Paid by Construction Companies	217	106
Income Tax – PAYE Payable	215	102
Liquid Reserves	219	108
Main Street Beautification	174	32
Post of Commissioner of Police	224	116
Post of Finance Centre Development Director	205	87
Post of Sports Development Officer	202	80
Prison – Number of Inmates	192	67
Qualifying Companies	210	96
Social Security – Closed Long-Term Benefits Fund	193-194	68-69

SUBJECT	NO(S)	PAGE(S)
Social Security – Incomplete Contribution Cards	207	89
Social Security – Incomplete Contribution Records	206	88
Social Security – Self-Employed Insurance Cards	191	66
Tourism Ministry – New Posts	180	41
Traffic Flow – Upper Rock	185	53
Vehicle Access – Engineer Lane	184	51

ORAL

NO. 161 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA - RECIPROCAL HEALTHCARE AGREEMENT

Can Government state what is the text of the amended reciprocal healthcare agreement with UK?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The agreement by which UK pensioners resident in Gibraltar will be entitled to medical treatment in Gibraltar operates as an extension to the 1974 reciprocal healthcare agreement with the United Kingdom.

The terms of the agreement is recorded in an exchange of correspondence the text of which is as follows:

"It has been decided in discussions between the Department of Health and the Gibraltar Health Authority that the Governments of the United Kingdom and Gibraltar should rectify the present situation whereby United Kingdom social security pensioners who reside outside the United Kingdom but within the European Economic Area receive health care under the public health care system of their country or territory of residence at the expense of the United Kingdom authorities, with the sole exception of those social security pensioners resident in Gibraltar.

I am therefore writing on behalf of the Government of the United Kingdom to propose the following arrangements for the provision of health care for United Kingdom social security pensioners resident in Gibraltar:

(a) The Government of Gibraltar will provide health care under the health care system in Gibraltar for United Kingdom social security pensioners resident in Gibraltar.

(b) The additional costs thereby incurred by the Government of Gibraltar will be recognised by an adjustment to the number of referrals of patients from Gibraltar to the United Kingdom in accordance with Article 4(b) and 8(c) of the 1974 Exchange of Despatches concerning Reciprocal Health Care. The costs of treatment within the United Kingdom in respect of such patient referrals will be met by the Government of the United Kingdom.

(c) The number of such patient referrals will be determined annually between the Government of Gibraltar and of the United Kingdom in accordance with the methods set out in the Annex of this letter.

(d) Procedures for exchange of information and resolution of disagreements relating to the interpretation or application of these arrangements will be the same as those set out in Article 6 and 7 of the 1974 Exchange of Despatches concerning Reciprocal Health Care.

Unless otherwise decided, the following definitions will apply for the purposes of these arrangements:

(a) "United Kingdom" means England and Wales, Scotland, Northern Ireland and the Isle of Man.

(b) "social security pensioner " means:

- in relation to the United Kingdom, those persons who are in receipt of a United Kingdom state pension which qualifies them for health care under Regulation (EEC) 1408/71 or a retirement pension payable under the legislation of the Isle of Man, and their family members, but not those persons who are in addition in receipt of a Gibraltar social security pension.

- in relation to Gibraltar, those persons who hold a Gibraltar pension which qualifies them for health care under Regulation (EEC) 1408/71, and their family members, but not those persons who are in addition in receipt of a United Kingdom social security pension.

(c) "health care" means:

- in relation to the United Kingdom, treatment by services provided under national health legislation, administered by health authorities or by the Isle of Man Health Services Board.

- in relation to Gibraltar, treatment by services provided under Gibraltar health legislation and administered by the Gibraltar Health Authority.

(d) For the purposes of these arrangements a United Kingdom social security pensioner will be regarded as "resident" in Gibraltar if he is in lawful residence pursuant to the Immigration Control Ordinance. A Gibraltar social security pensioner will be regarded as "resident" in the United Kingdom if he is taking up permanent residence in the United Kingdom.

(e) "Temporary visitor" means a person undertaking a stay as specified in Article 22 of Regulation (EEC) 1408/71.

Subject to the approval of the Government of Gibraltar, these arrangements will be deemed to have entered into force on 1st October 1996 and will remain in force unless they are terminated by the Government of the United Kingdom or the Government of Gibraltar giving three months' written notice to the other.

I should be grateful for your confirmation that the foregoing correctly sets out the understanding between the Governments of the United Kingdom and Gibraltar on the provision of health care for United Kingdom pensioners resident in Gibraltar".

ANNEXE

In respect of the financial year 1997/1998 and for each subsequent financial year, the number of Gibraltar patient referrals to the United Kingdom shall be estimated in the manner specified in Appendix 1.

When definitive data are available to both parties in respect of any financial year for which an estimate has previously been made, the actual costs in respect of that financial year shall be compared to the estimate previously made and any necessary adjustment shall be made in the next financial year in the manner specified in Appendix 2.

APPENDIX 1

UK/GIBRALTAR RECIPROCAL HEALTH AGREEMENT

Method of calculating the number of Gibraltar referrals to the UK.

The number of referrals to the UK in any fiscal year will be computed using the following information:

Estimated costs to Gibraltar

a = the number of persons resident in Gibraltar on 31 December of the preceding year who are in receipt of a UK state pension which qualifies them for health care under Regulation (EEC) 1408/71. (i.e. retirement pension, widows pension, long-term incapacity benefit). Those who also hold a Gibraltar pension will be deducted from the total number in accordance with the provisions of Article 27 of Regulation (EEC) 1408/71. Any Gibraltar pensioner resident in the UK who has only a Gibraltar pension will also be deducted from the number.

b = the latest available average annual cost of treating a pensioner in the UK, derived from the UK average cost paper approved by the Audit Board of the EC Administrative Commission for Migrant Workers (as this is computed by calendar year, it will be applied to the fiscal year which starts in the calendar year i.e. 1996 equates to 1996/97). (In common with EC practice this average cost will be reduced by 20%).

c = the latest available costs to Gibraltar of treating UK temporary visitors;

Estimated costs UK

d = the latest available costs to the UK of treating Gibraltar temporary visitors.

Adjustment factor

e = the adjustment factor determined in Appendix 2 (initially, and for the first two years, this will be 0).

Estimated average referral cost

f = the latest available average cost to the UK of each Gibraltar referral (information from Leeds Health Care);

Using the above criteria, the following technique shall be used:

The number of referrals =
$$\frac{(a \times b) + c - d \pm e}{f}$$
(rounded to the nearest whole number)

Note: The number of referrals for a particular year will be computed by March each year using the latest available date.

APPENDIX 2

UK/GIBRALTAR RECIPROCAL HEALTH AGREEMENT

Method of accounting under the revised agreement:

The annual settlement shall be based on fiscal years and determined using the following information to determine an adjustment factor;

Costs to Gibraltar (a x b) + c where

a = the number of persons resident in Gibraltar on 31st December of the preceding year who are in receipt of a UK state pension which qualifies them for health care under

Regulation (EEC) 1408/71 (i.e. retirement pension, widows pension, long-term incapacity benefit). Those who also hold a Gibraltar pension will be deducted from the total number in accordance with the provisions of Article 27 of Regulation (EEC) 1408/71. Any Gibraltar pensioner resident in the UK who has only a Gibraltar pension will also be deducted from the number.

b = the average annual cost of treating a pensioner in the UK, derived from the UK average cost paper approved by the Audit Board of the EC Administrative Commission for Migrant Workers (as this is computed by calendar year i.e. 1996 equates to 1996/97). (In common with EC practice this average cost will be reduced by 20%).

c = the actual cost to Gibraltar of treating temporary visitors from the UK;

Costs to the UK d + e where

d = the actual cost to the UK of treating patients referred to the UK by Gibraltar for treatment.

e = the actual cost to the UK of treating temporary visitors from Gibraltar.

Adjustment factor

This equates to

Costs to Gibraltar minus Costs to the UK

Note: This may be a positive or negative number which will be taken into account in computing the next estimate of the number of referrals.

The Gibraltar Government has confirmed the terms of the agreement by letter as required.

SUPPLEMENTARY TO QUESTION NO. 161 OF 1997

HON J J BOSSANO:

Can Government say how many free patients are going to be treated as a result of the agreement between 1997/98?

HON K AZOPARDI:

The calculations are being conducted at the moment in liaison between the General Manager of the Authority and the Department of Health in London. There has been an adjustment on account to a hundred in expectation of the

fact that this agreement would be concluded and there would be a higher number. We anticipate that the number will certainly be above 150 and could be much higher than that but the calculations have as yet not been agreed. There is I understand a disparity between the calculations that we have arrived at and the calculations arrived at by the Department of Health, but they will certainly be higher than 150.

ORAL

NO. 162 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA - TRAINEE ENROLLED NURSES - QUALIFICATIONS

Can Government confirm that the condition of 3 GCSE "O" Levels for Trainee Enrolled Nurses as a new requirement?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Mr Speaker, I will answer this question together with Question 163 of 1997.

NO. 163 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA - STAFF NURSE - QUALIFICATIONS

Can Government state whether they have taken a policy decision to require a given number of GCSE "O" Levels for training to Staff Nurse level?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The Gibraltar Health Authority has taken the decision to require that new applicants for enrolled nurse and staff nurse training should be in possession of three and five GCSE 'O' levels respectively.

SUPPLEMENTARY TO QUESTIONS NOS. 162 AND 163 OF 1997

HON MISS M I MONTEGRIFFO:

Mr Speaker, does the Government not consider that imposing this new requirement will limit the number of people that will be able to apply and do they not consider that the present standard of nurses in Gibraltar is adequate?

HON K AZOPARDI:

Mr Speaker, the reason that these changes have been accepted by the Government, I should say firstly that they are recommendations made by nursing managements to the Government and I understand that similar recommendations had been made to the previous administration, at least in part. The reason that we adopt them is certainly against the background that in the United Kingdom there is a minimum requirement of 5 GCSE 'O' levels, there is a requirement that for a minimum of 5 GCSE 'O' levels for Staff Nurse training and I understand that with the advent of project 2000 nursing courses, most of those courses take the form of university qualifications and people are required to take degrees in nursing and so on. So the focus very clearly is to move on and make it tougher for people to join the nursing profession and to have minimum requirements and it is against that background we adopt it. I am certainly happy with the quality of nurses that we have but the focus of this is not on the nurses that we have today but on increasing the quality of the pool of

applicants that we will have for nursing training tomorrow.

HON MISS M I MONTEGRIFFO:

Mr Speaker, firstly as a point of order, when we were in office certainly we did not receive any representations from the management to have GCSEs as a requirement and, secondly, I urge the Minister to reconsider the Government decision in the light that the market is different in the United Kingdom to what it is in Gibraltar and also to take into consideration that both the UKCC and the University of Sheffield have accepted Gibraltar nursing qualifications to be up to standard.

HON K AZOPARDI:

Mr Speaker, when I say that I understand that the recommendations were made by management to the previous administration I say so on advice of the present management. I have with me a letter which I accept was not addressed to the previous Minister but certainly is a letter from the Nurses' and Midwives' Registration Board to the Legislation Unit who were considering legislation at that time in relation to EC Directives which recommends minimum entry requirements, that on the first point, but I do accept that there is no direct correspondence that I have with me, but I say so on the advice of management, but certainly let me say in relation to the other point that the Government have considered the matter carefully and have taken a policy decision and I have stated what that is. We want to increase the quality of the applicants that will now join nursing training and I have said why we want to do that.

HON J J BOSSANO:

Does not the Government understand that even if it allows people who do not have those GCEs to apply, it does not prevent people who have them from applying and that therefore by not making it a condition in the application it does not deprive people with three or five 'O' levels from being included as possible candidates, so what is to stop the Government in its selection process taking into account those who have five 'O' levels but not necessarily ignoring those who may not have them but who may well prove that they have got personal qualities which make them ideally suited for nurses which in the past in Gibraltar have always gained and continue to gain the praise of people from the United Kingdom who use our services notwithstanding the fact that our people may not be as academically qualified? Does not the Government agree that without making it a requirement there is nothing to stop them taking it into account?

HON K AZOPARDI:

I understand what the Leader of the Opposition is saying and of course people are not prevented from applying if there are zero qualifications, but the point of this is set against the background of what I indicated before, that the management received numerous requests for information given the fact that the Government have said that they want to restore training to staff nurse level in Gibraltar. As to the qualifications that will be required from people who are still at school and we think this will encourage academic endeavour which although may not be the be-all and end-all of what they will have to deliver as in the health care system, we think it is an important part of the basic educational qualification of the future nurses that we will have in Gibraltar. As I say, we have taken that policy decision and while I understand the point the Leader of the Opposition is making I certainly do not accept that we will review or restore the fact that no entry qualifications will be required for nurses.

HON J J BOSSANO:

Has the Minister not just said in answer that people with zero qualifications will not be debarred from applying? Is it the case that it is going to be a minimum requirement without which people cannot apply? Or is it not?

HON K AZOPARDI:

Mr Speaker, yes, there is a minimum which we have set, I have said that in my answer.

HON J J BOSSANO:

I thought that in the reply he has just given me, he started off by saying that people with zero qualifications will not be debarred.

HON K AZOPARDI:

Only in the scenario that if we adopt the Leader of the Opposition's suggestion, but we are not going to adopt it.

HON CHIEF MINISTER:

There are plenty of walks of life in Gibraltar in which there are minimum entry requirements and the Government should seek to consolidate requirements by establishing minimums as opposed to having no entry requirements, it

is I accept a matter of policy and the Government takes note that the hon Opposition Members do not agree with the policy but it is the policy of the Government in order that as my hon Colleague has said there should be over a period of time an encouragement to academic endeavour by those who have a vocation to become nurses.

HON J J BOSSANO:

Is there any evidence that people in school choose not to try and pass their GCEs because they believe they can become nurses without having the GCEs? It is complete nonsense, Mr Speaker, that is what the Government believe justifies its policy decision, it is quite extraordinary. Does the Government not realise that in fact there are people in Gibraltar for linguistic reasons, if for no other, who do not necessarily perform as well academically as they are able demonstrably to show an ability for subsequently in employment and if we are going to have expansion in areas like financial services which are going to be making demands on people with GCE results then we cannot have the labour market opportunities restricted wider and wider to the same pool of people who achieve results in GCEs and the others are supposed to become what?

HON CHIEF MINISTER:

Mr Speaker, the Government are certainly not of the view, and let us expand the discussion beyond the scope of nursing, the Government have no doubt that there is a great benefit to this community and to the consumers of the services that the public service provides by encouraging a raising of the standards and qualifications of those people that deliver that service. I hope that that is not a proposition with which the hon Member is disagreeing in principle. However, I understand one of the points that he is making which is that there has got to be horses for courses and that the qualifications cannot be set so high that it makes it impossible to be attained by the sort of people who might reasonably aspire to that sort of job. With the greatest of respects three GCE 'O' levels is hardly setting the standards at a very high level and indeed it is something upon which the Government have received advice from the very professionals in the nursing union.

HON J J BOSSANO:

Mr Speaker, is it not the case that the standard that is being set is not the standard that will qualify people as enrolled nurses or staff nurses, it is a standard to enable them to make the attempt to become qualified. The fact that there are staff nurses in the hospital today

and enrolled nurses today, who do not have five 'O' levels or three 'O' levels does not mean that they are sub-standard. Does the Government not realise that if they accepted, as a result of interview, as a result of the abilities and of the vocation of the person, somebody who had two 'O' levels instead of three, that would still require that person to undergo the same training to qualify as an enrolled nurse and they may well find that when the time comes to pass the enrolled nurse exam the person with the three GCEs fails and the person with the two GCEs passes because they have got a greater commitment to nursing. What they are doing is depriving the one with the two from even making the attempt. I am not saying they should drop the standard of enrolled nurses. I am saying the entry requirement which we have not had before will limit the number of people that will enter the profession. By not having the requirement it does not prevent them from taking into account GCEs as one factor but if they have a condition of application, if they put an advert and they say in the advert only people with three 'O' levels may apply, one may have a Florence Nightingale in the community who has not got three 'O' levels.

HON CHIEF MINISTER:

I do not know what particular interest the hon Member has in the nursing profession, but I can tell the House that I know of no profession in the world in which there is not a minimum academic requirement to access what is subsequently a professional examination. What makes the hon Member think that the nursing profession is different? On what does he base his view that there should be standards of entry recruitment in all professions except in nursing?

HON J J BOSSANO:

Mr Speaker, although I am not supposed to be answering his questions, since he is asking it, let me say that I am addressing the subject of nursing because that happens to be the area in which the Government have taken a political decision to require a standard with which we have survived not having it for as long as we have had a health service in Gibraltar and we do not seem to have done too badly out of it. It is for the Government to justify why there is now a requirement which was not there before and if the Government wants to know why it is that I happen to have an interest and a knowledge of this it happens to be because I used to be the Branch Officer of the nurses that he is talking about and as far as I am concerned I would have thought for a start it is a matter that comes within the competence of the negotiating rights of ACTSS. I wonder whether the

Government have obtained the agreement of the Union for the introduction of what is a change in the entry requirements for a grade which is represented by ACTSS and perhaps they can tell me whether this has been done with Union agreement?

HON K AZOPARDI:

The former Chief Justice once told me, that when he did the Bar, a degree was not required or indeed an exam pass was not required at the Inn's of Court School of Law, all he had to do was sit some dinners and then he became a barrister. That did not mean that he was a bad Chief Justice but it also did not mean that it was bad for the professional body then to set the fact that you had to sit an exam to become a barrister. In the same way I am not saying that the quality of nursing in Gibraltar is bad but it is also not a reflection on that that we should not look towards increasing the quality of the pool of applicants and that is why we have taken this decision based on nursing management's view on this matter. They are experts in the field, we have taken that decision based on that particular information and I believe that they have had extensive discussions with the nursing union on the issue as well.

HON J J BOSSANO:

Can the Minister explain to me why it is that he thinks that we are making it possible for people with three and five 'O' levels to apply if we make it a minimum requirement and that they cannot apply if we do not, what is to stop those people with those qualifications competing for the vacancies with those who have not? There is nothing to stop it.

HON K AZOPARDI:

Mr Speaker, the Government's position is as stated in the answer. We think that this is a valuable requirement and we intend to adopt it.

HON J L BALDACHINO:

By putting this condition of three GCEs, will that debar what the hon Minister for Education said that he is going to introduce GNVQs, will people with GNVQs be able to apply? How many GNVQs will you require for one GCE?

HON K AZOPARDI:

Mr Speaker, if they have three and five 'O' levels respectively obviously they will be able to apply but I certainly am not aware that there are GNVQs in nursing.

I do not know if my Colleague will be able to tackle that issue.

HON CHIEF MINISTER:

The hon Member is asking whether the Government will consider the possibility of regarding GNVQs as the equivalent of academic attainment of three 'O' levels, that is a matter upon which the Director of Education will no doubt advise the Ministers in due course but I am grateful to the hon Member for pointing out that possibility.

NO. 164 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA - FLEA EPIDEMIC IN ST BERNARD'S HOSPITAL

Can Government state what steps have been taken to deal with the flea epidemic in St Bernard's Hospital?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

There was a recent insurgence of fleas in some parts of St Bernard's Hospital. As a precaution and to avoid the problem becoming exacerbated a disinfestation programme was conducted over a three week period. The Environmental Agency and RSPCA were called out to deal with stray cats that are believed to be the carriers in this case. The hospital management has sent a circular to staff reminding them not to feed the stray cats. The Government wishes to publicly acknowledge the assistance given by the MOD in the temporary relocation of Lady Begg ward to the RNH to allow the disinfestation to be carried out.

SUPPLEMENTARY TO QUESTION NO. 164 OF 1997

HON MISS M I MONTEGRIFFO:

Mr Speaker, is Lady Begg Ward still at the MOD RNH Hospital?

HON K AZOPARDI:

I believe the programme has now been completed. Indeed, it was complete before time. We said three weeks but it was completed before time. All the Wards are back to where they were at the start of that programme.

HON MISS M I MONTEGRIFFO:

Mr Speaker, can the Government confirm whether there was any disruption to the service like, cancellation of operations because of the epidemic?

HON K AZOPARDI:

Yes, Mr Speaker, I believe that there were some cancellations of operations when the theatre was fumigated. I believe there were some operations affected but they have been set down for operations later on.

ORAL

NO. 165 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA - PERSONAL EMOLUMENTS - ADMINISTRATIVE GRADES

Can Government state what is the provision in the Estimates of the Gibraltar Health Authority for the Personal Emoluments of the administrative grades in the current financial year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The 1997/98 provision in personal emoluments for administrative grades is £690,000.

NO. 166 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA - REFURBISHMENT WORKS

Can the Government state what major refurbishment works will be undertaken within the buildings of the Gibraltar Health Authority during the current financial year?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The following major refurbishment works are planned for this financial year at GHA facilities:

- (a) the installation of a new lift at St Bernard's Hospital;
- (b) the repair of the KGV roof;
- (c) partial refurbishment of Godley Ward;
- (d) the completion of the refurbishment of Children's Ward;
- (e) the completion of refurbishment of 17 Johnstone's Passage.

While not a new refurbishment work, the on-going work which has necessitated the temporary relocation of Lewis Stagnetto Ward is also worthy of note.

SUPPLEMENTARY TO QUESTION NO. 166 OF 1997

HON MISS M I MONTEGRIFFO:

Mr Speaker, can the Minister inform the House what are the works involving 17 Johnstone's Passage?

HON K AZOPARDI:

Mr Speaker, because space is at such a premium within St Bernard's Hospital at the moment, 17 Johnstone's Passage, which was lying empty and is the former home of a section of the Housing Department has been taken over by the Health Authority. There are some refurbishment works that need to be undertaken by Community Projects and it will house the Finance and Salaries Section of the Health Authority to be able to allow some space to be free at St Bernard's so that the Hospital Manager can utilise that

space which is so badly needed. That building, I should add, is only about three minutes walking distance from the entrance to the Hospital and so it is a very convenient location for relocation of any staff. We were keen to relocate staff which was identified as being available for relocation outside St Bernard's in the sense that they were not required there but could be within a vicinity proximate enough to be able to come to St Bernard's if needed.

HON MISS M I MONTEGRIFFO:

So that in effect means that the Salaries Section is also moving to 17 Johnstone's Passage?

HON K AZOPARDI:

Yes.

HON MISS M I MONTEGRIFFO:

Mr Speaker, I was not very sure because I could not hear it properly, I could not hear the Minister's answer, could he confirm that the work that he has mentioned includes the refurbishment of the kitchen or has that already been completed?

HON K AZOPARDI:

No, it has not been completed yet.

HON MISS M I MONTEGRIFFO:

Could the Minister say why the delay in the kitchen, in view that these works started nearly two years ago?

HON K AZOPARDI:

It relates to the fact that the JBS staff that were undertaking the refurbishment there have been deployed to tackle the Children's Ward issue which has not yet, regrettably, not been finished because I understand that some of the materials that were required to complete those works were delivered to Gibraltar but were the wrong materials and so have had to be sent back and we are waiting now to conduct the finishing touches to that project so that we can re-open Children's Ward and then redeploy JBS staff elsewhere.

HON MISS M I MONTEGRIFFO:

I take it that Lewis Stagnetto Ward is presently still housed in the kitchen and hence the reason why the Minister cannot still confirm to the House.....

HON K AZOPARDI:

Not in the kitchen, Lewis Stagnetto is in Private Corridor.

HON MISS M I MONTEGRIFFO:

Lewis Stagnetto is housing the kitchen, yes, I am correct.....

HON K AZOPARDI:

Yes, yes.

HON MISS M I MONTEGRIFFO:

Yes, I am correct, Mr Speaker.

HON K AZOPARDI:

I cannot hear her.....

HON MISS M I MONTEGRIFFO:

You cannot hear me either? So, is the Minister still unable to confirm whether Lewis Stagnetto Ward, which is presently in the Private Wing will remain in Private Wing?

HON K AZOPARDI:

Yes, I am still unable to confirm that but we are taking on board the suggestion made by the hon Member previously and the reason again a decision has not been taken is because there has been no urgent need to take it because of the fact that JBS staff are still working somewhere else.

NO. 167 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA -MEDICAL REVIEW 1996 - RECOMMENDATIONS

Which recommendations of the report of the Medical Review of 1996 have been rejected by the Government?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

In publishing the report the Government mentioned that while generally welcomed, there inevitably would be recommendations which would not be accepted by Government. Some, such as the change in the composition of the Health Authority and Management Board envisaged by the review team, are clear at present. There will be others which Government will not seek to implement once it has received the view of the Chief Executive and strengthened management team that will be tasked with advising on the implementation of the report.

SUPPLEMENTARY TO QUESTION NO. 167 OF 1997

HON MISS M I MONTEGRIFFO:

I see, does that mean that the Government are still unsure as to which recommendations they will be rejecting and those which they will be accepting.

HON K AZOPARDI:

Mr Speaker, it is not a matter as described by the hon Member. Because of the breadth and length of the Report and because of the extensive nature of a lot of the recommendations, we are talking about 98 recommendations all in all, it is better to place a focus not on what will be rejected but on what will be implemented and so it was very clear to us because we drafted an implementation strategy that for the financial year 1997/98, which is the present one, or rather from January 1996/97, to the end of the financial year 1997/98 we could undertake everything that we published in conjunction with the report back in January this year. We estimate that 35 per cent of the Report will be implemented by then. As to the remainder, again because of the extensive nature of them and because it is important not to be stark in saying, "I agree with this one word for word" and because we want to give flexibility to the new management team, once the

restructure has happened we will task, as we said in January this year when we published the report, we will task the restructured management team with advising Government on which part of the Report and how many recommendations of the remainder, of the balance, can be implemented and in what timescale. So really the focus that we are putting on is not what we are going to reject but rather what we are going to do in the next year which is clear to us. Beyond that, whilst generally welcomed, we want to give some flexibility for discussion purposes at least and not tie the future Chief Executive to particular matters to be able to advise us on the form and time scale of that implementation and then we will be able to take a view in conjunction with the restructured management team as to the rest of the recommendations. I should say against that background what I said in the preface to my answer, that the Report is generally welcome and we would look to implement a majority of the Report.

HON MISS M I MONTEGRIFFO:

I take note of what the Minister has answered but seeing that when they made the Report public, they then proceeded to say publicly that they would implement the majority of the recommendations of the Report and that as the Minister has explained 35 per cent would be implemented in the first year and the rest the Government announced that they would be implementing phasing out those recommendations through a year period. Surely, if they have made that sort of an announcement is it not expected of the Government to know exactly by now which are those which they want to outrightly reject?

HON K AZOPARDI:

Mr Speaker, when we announced the Review Report yes, indeed, we did say that we were going to implement the majority of recommendations but we also said that we would allow the Chief Executive to put proposals to us and consider the structure of the rest of the implementation. So we said both things. It is not true to say that we only said we were going to implement the majority and now we are shifting ground. The statement that I issued in January this year mentioned that we welcomed the Report and would implement the majority but then also said that by the end of the financial year 1997/98, 35 per cent of the Review Report, would be implemented. It then said in the next sentence that the management team headed by the Chief Executive would be able to consider proposals on other substantial issues and assess how and when to tackle the matters as part of the development of a strategy that would take place as from 1997/98. So it is clear that the focus has always

been on what we want to do in the next year and the advice we are going to get to be able to implement. The purpose of the advice is so that we are able to implement the majority and the spirit of the Report while, of course, there are some that we now see will not be implemented like the one that changes the composition of the Gibraltar Health Authority and the Management Board and others, that we may be persuaded not to implement once we receive advice on the structure and timescale of the implementation plan. I am afraid that I cannot be more specific than that because of the extensive nature of the Report.

HON MISS M I MONTEGRIFFO:

Well seeing that I cannot get the Minister to actually confirm which recommendations he will be accepting and which they will not be accepting, as he has now confirmed that they expect 35 per cent of the recommendations to be implemented within the next financial year, will he be able to give the House an indication of what recommendations involve those 35 per cent?

HON K AZOPARDI:

Mr Speaker, I regret that even though I mentioned at length what those measures would be it seems that the hon Member has missed my Budget speech. As I say, I went on at length to discuss that. Once Hansard is typed up, if the hon Members wants further specific detail of the issues that I raised in my Budget speech in explaining what we intend to implement over the next year, of course, she is free to contact me and I will give her those details but I went on I think on the implementation of the health review for at least half an hour and I do not propose to keep the House for half an hour describing that again.

HON MISS M I MONTEGRIFFO:

I did listen to his Budget speech and I took note of everything he said and in fact I remember very well what he said, but Mr Speaker, when we talk about percentages like 35 per cent in one year are we talking about 35 per cent of what? Of 100 per cent?

HON K AZOPARDI:

Of ninety eight.

HON MISS M I MONTEGRIFFO:

Are we talking about 35 per cent of 90 per cent?

HON K AZOPARDI:

Thirty five per cent of 98. I leave it to the hon Member to calculate the mathematics of that.

HON MISS M I MONTEGRIFFO:

That is not an answer, Mr Speaker.

ORAL

NO. 168 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA/MOD - SECONDARY MEDICAL CARE

Can Government confirm how many times civilian patients have had to be transferred or requested to attend The Royal Naval Hospital for medical operations or other types of medical interventions since the 1st May 1997?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Questions Nos. 169, 170, 171 and 172 of 1997.

ORAL

NO. 169 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA/MOD - SECONDARY MEDICAL CARE

In providing secondary health care to the MOD, can Government confirm how many times medical, nursing, para-medical or other staff of the Gibraltar Health Authority, have had to go to or practice at The Royal Naval Hospital since the commencement of the trial period?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Questions Nos. 168, 170, 171 and 172 of 1997.

ORAL

NO. 170 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA/MOD - SECONDARY MEDICAL CARE

Can the Government confirm how many times MOD personnel have attended St Bernard's Hospital for operations, other types of medical interventions or clinical assessments?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Questions Nos. 168, 169, 171 and 172 of 1997.

ORAL

NO. 171 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA/MOD - SECONDARY MEDICAL CARE

Can Government state what types of medical operations or other types of medical interventions have been undertaken at St Bernard's Hospital on MOD personnel as a result of the trial period which commenced on the 1st May 1997?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

Answered together with Questions Nos. 168, 169, 170 and 172 of 1997.

NO. 172 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA/MOD - SECONDARY MEDICAL CARE

Can Government state what types of medical operations or other types of medical interventions have been undertaken at the Royal Naval Hospital on patients sent by the Gibraltar Health Authority, as a result of the trial period which commenced on the 1st May 1997?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

No GHA entitled patients have had to be transferred from St Bernard's Hospital to RNH since 1st May 1997 other than as part of the disinfestation programme.

Twenty GHA entitled patients have been requested to attend RNH for ENT operations since 1st May 1997.

Since 1st May the Associate Specialist in ENT has on occasion practised at RNH. It is envisaged that the Consultant gynaecologist will attend soon and others may follow as determined by the implementation group.

As far as MOD personnel attending St Bernard's is concerned the midwives are there on a daily basis subject to the shifts they must work. An MOD laboratory technician and radiographer are regularly at St Bernard's and recently one MOD nurse has been joining the operating theatre team on rotation.

From 1st May to 13th June the A & E department has dealt with 72 casualty cases. There have been eleven in-patient admissions. Three operations have been carried out during the period to 22nd June and maternity has conducted 46 ante-natal clinics.

I should add, Mr Speaker, and this may amend my oral answer to the written answer that I have here that I was informed this morning that another Caesarean was conducted yesterday.

NO. 173 OF 1997

THE HON MISS M I MONTEGRIFFO

GHA - POST OF CHIEF EXECUTIVE

Can Government state when they expect the new post of Chief Executive for the Gibraltar Health Authority to be filled?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

The Gibraltar Health Authority expects to select the successful applicant within the next few weeks.

SUPPLEMENTARY TO QUESTION NO. 173 OF 1997

HON MISS M I MONTEGRIFFO:

Mr Speaker, can the Government confirm what sort of criteria they are using for the selection of Chief Executive of the Gibraltar Health Authority?

HON K AZOPARDI:

The criteria obviously is set by the Management Board and those on the selection board for selection, as it were. The Management Board sifted through the 85 applications and produced a short list and those persons, I think it is 12 or so, were then interviewed by a selection board and they will select who they consider to be the best person able to comply with the functions of the Chief Executive, implement such part of the Review that the Government seeks to implement and generally comport himself as a Chief Executive would. The applicants were quite varied in their nature. It included people who were Chief Executives, it also included applicants who were Deputy Chief Executives, Directors of Finance, there were some doctors, there was a wide variety, there was even a management consultant, there was a wide variety of applicants and I should inform the House that the interviews have been held. The selection board has identified three applicants which shone through, if you like, the selection process. They will be visiting Gibraltar this weekend when I will get to meet them, and have an opportunity to chat with them to see who they are and then the selection board will make its choice. I understand that they already have a preferred order in mind and really it is a matter of bringing the more successful applicants out to meet the relevant persona

within the Gibraltar Health Authority. They are going to meet the Management Board, the Health Authority itself, they are going to meet a wide selection of people with a programme identified by the Health Authority management and so I expect that a final decision will be taken quite soon and then it will be up to discussion of terms.

HON MISS M I MONTEGRIFFO:

Mr Speaker, have not the Government made it a condition that the Chief Executive for the Gibraltar Health Authority should have had previous experience in health authorities within the United Kingdom?

HON K AZOPARDI:

It has, I understand, been almost an implied criteria. Certainly it is obvious that anyone shortlisted by the management board has had health authority management experience. I believe that most of the health authority experience that those applicants have had is within the United Kingdom, yes, I believe that the answer to that is yes.

HON MISS M I MONTEGRIFFO:

So, Mr Speaker, the answer is yes then?

HON K AZOPARDI:

Yes.

HON J J BOSSANO:

Mr Speaker, does it mean in fact then that the three people that have been selected to visit Gibraltar are from health trusts in the UK currently?

HON K AZOPARDI:

From memory, I think that one of them is, I believe that one of them is, yes.

HON J J BOSSANO:

How is that consistent with the answer that we have just been given that they had to have implied or otherwise, health authority, which presumably means health trusts, management experience in the UK, if the other two are not from that background.

HON K AZOPARDI:

Health authority does not necessarily imply health trusts, given that there are health authorities and health trusts. It is perfectly consistent with the answer I have just given. One of them happens to come, I believe, from a trust, the other two do not but are Chief Executives elsewhere in the United Kingdom where they do not have health trusts. One of them I think comes from the Orkney Islands where they do not have a trust and the other one is from the Isle of Wight where I understand they do not have a trust. That is perfectly consistent with the answer given.

HON J J BOSSANO:

Mr Speaker, where there any local applicants in the 12 shortlisted or in the 85? Presumably in the 85 there were?

HON K AZOPARDI:

There was no local applicant in the shortlist of 12. There was no local applicant in the 85, there was an applicant from Gibraltar who was not local.

NO. 174 OF 1997

THE HON J C PEREZ

MAIN STREET BEAUTIFICATION

Does Government intend to put out to tender the additional pedestrianisation works not included in the original Main Street contract?

ANSWER

THE HON THE MINISTER FOR THE ENVIRONMENT AND HEALTH

During the progress of the original Main Street contract this had been extended to cover certain areas not originally envisaged. The Government view the additional beautification work that has been announced as further extensions to the original contract and it is not felt that there will be a need to place an invitation to tender.

SUPPLEMENTARY TO QUESTION NO. 174 OF 1997

HON J C PEREZ:

Can the Minister state what the additional works entail and how they have been costed?

HON K AZOPARDI:

Mr Speaker, I can give the hon Member a rough costing on the total of the additional works but I cannot give him a specific costing. I understand that the changes.....

HON J C PEREZ:

I have not asked him for the costing, I have asked him how they have been costed?

HON K AZOPARDI:

They have been costed by the Project Managers working in consultation with those working under contract by the Government, those contracts that were entered into by the Main Street Beautification Trust and so they have done so in accordance with strict criteria and the usual procedures that work in construction. The changes amount to a rough estimate of an additional £260,000 and if the hon Member will bear with me I will read out the additions to the original works that have been conducted:

1. The beautification of Pitman's Alley;
2. The introduction of a large diameter drainage pipe and associated manholes at the northern end of Main Street in preparation for the eventual installation of a new drain to avoid any annual floodings;
3. The archaeological dig at the northern end of Main Street and diversionary work required to avoid damaging the finds;
4. The archaeological dig opposite the Cathedral and works associated for the preparation of the eventual exhibition scheme;
5. An increase in the scope in respect of infrastructure works for GibElec;
6. An increase in the scope in respect of infrastructure work for Nynex;
7. A very substantial increase in scope associated with mains replacement for Lyonnaise des Eaux;
8. The replacement of the collapsed sewer section to the north of the Piazza;
9. The suspension of works during Christmas of 1996 and the subsequent demobilisation and remobilisation of the site required as a result;
10. Refurbishment works conducted at the Waterport Fountain;
11. Increase in street furniture, e.g. seats, water bollards, hanging baskets etc; and
12. Technical changes required as a result of the deteriorated services uncovered.

HON J C PEREZ:

If the Minister would bear with me, what he is saying is that the Main Street contract has cost £260,000 more than the original price because of the list of works that he has mentioned. I am asking the Minister whether any extra pedestrianisation work other than the list that he has mentioned will be an extension to the contract or will be going out to tender, given that he appeared on television and mentioned a lot of new areas that would be pedestrianised. Is that going to be an extension of the contract or will that be going out to tender when the Government decide to put it out to pedestrianisation?

HON K AZOPARDI:

That scheme is an extension to the original contract but what we do intend to do is advertise the planning schemes so that people know what exactly is going to be done but it will be an extension to the original contract.

HON J C PEREZ:

And how does the Minister propose to come up with prices for the new pedestrianisation given that it is not going to go out to tender? How does the Minister propose to get a price for a new road that is going to be pedestrianised?

HON K AZOPARDI:

The negotiations will be based on the costings agreed and settled by the previous administration which led to this original contract. I imagine that they are satisfied that those were fair prices for that work, against the background of the fact that because that work is now being conducted and they have experience in these matters we are hoping the negotiations obviously take account and make a reduction to take account of that.

HON J C PEREZ:

Yes, but is the price going to be entered into by virtue of the ratio of square metres to the original price? Or is those square metres related to the final price of the project? Or, for example, certain technical things that might be underneath the surface of the road which might prejudice the project being taken into account. I am asking the Minister that in arriving at the costing whether he is going to use the yardstick of the original price, of the final price or if there are any deviations from that?

HON CHIEF MINISTER:

Mr Speaker, of course the tendering procedure to which of course this Government are particularly committed is not the only method available for the valuation of building works. Indeed, there are many other techniques.....

HON J C PEREZ:

No one has suggested that.

HON CHIEF MINISTER:

And the techniques..... even if a contract is put out to tender, one does just not accept the lowest, the lowest may still be too high in terms of the real value of the works. There are, as the hon Member knows because he has had involvement in such projects before, there are techniques for measuring works and for placing a value on them. Indeed, I understand that that is what the Quantity Surveyors do for a living. The Government have employed for this project Quantity Surveyors and Project Managers that will advise the Government on what this work is worth. If what the hon Member is asking at the end of the day is whether the profit margin allowed in that measurement and valuation of work is going to be the same as in the contract up till now, or whether the Quantity Surveyors are going to upgrade the value of the work, for example, allowing a higher back up for wage, rate inflation..... I suspect that they will but if the Government have not yet received detailed costing proposals of that nature but the hon Member can be assured that the Government will make sure that the fact that there is not a tender process in this respect will not be allowed to be used by the sole contractor as a means of ratchetting up his price beyond what is strictly justified.

HON J C PEREZ:

So I can take it then that other than the additional works mentioned by the Minister the others would be new contracts and not an extension to the Main Street contract? Even if they do not go out to tender.

HON K AZOPARDI:

No, they will be an extension to the original scheme but there will have to be a separate contractual document signed, if you like. Yes.

ORAL

NO. 175 OF 1997

THE HON J L BALDACHINO

ETB - VOCATIONAL CADETS

Can Government state how many vocational cadets were engaged by the ETB each month since 1st April 1997?

ANSWER

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

The number of vocational cadets engaged by the Employment and Training Board each month since 1st April 1997 are as follows:

April: 20

May: 27

SUPPLEMENTARY TO QUESTION NO. 175 OF 1997

HON J L BALDACHINO:

Mr Speaker, can the Minister state for what period of time are they placed with employers? What is the period now that the Minister gives a cadet to an employer?

HON J J NETTO:

As I have said already in previous sessions of the House, it is six months.

ORAL

NO. 176 OF 1997

THE 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 1st February 1997?

ANSWER

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

The number of vocational cadets who have terminated their employment with the Employment and Training Board each month since 1st February 1997 are as follows:

February	33
March	33
April	40
May	29

ORAL

NO. 177 OF 1997

THE HON J L BALDACHINO

ETB - UNEMPLOYED GIBRALTARIANS

Can Government give a breakdown of male and female unemployed Gibraltarians aged 18 and over at the end of April 1997?

ANSWER

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

Answered together with Question No. 178 of 1997.

ORAL

NO. 178 OF 1997

THE HON J L BALDACHINO

ETB - UNEMPLOYED GIBRALTARIANS

Can Government give a breakdown of male and female unemployed Gibraltarians aged 18 and over at the end of May 1997?

ANSWER

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

Mr Speaker, male and female unemployed Gibraltarians aged 18 and over are as follows:

	Male	Female	Total
April	267	159	426
May	271	150	421

SUPPLEMENTARY TO QUESTIONS NOS. 177 AND 178 OF 1997

HON J L BALDACHINO:

Mr Speaker, has the Minister got the figures which I am about to ask, if not, could he pass it over to me when he has them? How many of these unemployed are receiving Unemployment Benefit? How many are receiving no benefits whatsoever?

HON J J NETTO:

Mr Speaker, this is not really a supplementary question. If the hon Member wishes to put that in the notice for future meetings I shall be always willing to give it to him.

HON J L BALDACHINO:

May I ask the Minister, is it that he has not got the figures? Or is it that he does not want to give it to me unless I put a specific question in this House?

HON J J NETTO:

Mr Speaker, it is simply a question that if I do have the figures I shall pass it on to him.

ORAL

NO. 179 OF 1997

THE HON J L BALDACHINO

I&D FUND - REPLACEMENT OF BALCONIES AND WINDOWS

Can Government state how much has been spent from the Improvement and Development Fund, Head 101, Subhead 1, replacement of balconies and windows in the months of April and May?

ANSWER

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

Mr Speaker, money spent so far is £23,207. (Windows only.)

NO. 180 OF 1997

THE HON A ISOLA

TOURISM MINISTRY - NEW POSTS

Can Government confirm that there has been a delay in the recruitment of the Tourism Director and of a Product and Marketing Manager?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

It is incorrect to speak of a delay in the recruitment of a Commercial Director of Tourism and of a Product Manager and a Sales and Marketing Manager. Following the closing date for applications, candidates were short-listed for first interview and second interview. These were held on 5th May and 30th May respectively.

Candidates who attended for second interview will be notified shortly of the results once terms of contract have been agreed. A public announcement will then follow.

SUPPLEMENTARY TO QUESTION NO. 180 OF 1997

HON A ISOLA:

Mr Speaker, how many people were shortlisted for each of the interviews on the 5th and 30th of May?

HON J J HOLLIDAY:

There were four candidates shortlisted for Commercial Director and there were nine applicants for the post of Product and Sales and Marketing Manager. However, one must note that some applicants applied for more than one post.

HON A ISOLA:

Mr Speaker, could the Minister inform us as to who or what was the composition of the selection board?

HON J J HOLLIDAY:

The first selection board consisted of three, Lieutenant Colonel Guerrero, Mr Ken Robinson and Mr Richard Garcia. The second selection board were Ernest Montado, Chief

Secretary, Albert Finlayson, Personnel Manager, and Richard Garcia.

HON A ISOLA:

Mr Speaker, the four persons that have been shortlisted in respect of the Commercial Director, are they local or are they UK based?

HON J J HOLLIDAY:

The four persons were all local based.

HON A ISOLA:

Are there no other applications pending, just those four?

HON J J HOLLIDAY:

That is correct.

HON A ISOLA:

Could the Minister tell me what experience each of the four has in tourism or what is the criteria the selection board is seeking in the Commercial Director?

HON CHIEF MINISTER:

With the greatest of respects, Mr Speaker, the Opposition Members may have developed a very recent interest in the whole concept of selection boards but I think that whilst we are willing to give out a full measure of information, to actually expect the Government to give details here of the workings of a selection board upon which no Minister sits, before the decisions of the selection board have been made public, I think would be completely inappropriate.

HON A ISOLA:

Mr Speaker, I am not seeking to enquire as to the goings on within the selection board or what they may discuss within that board, I obviously respect the confidentiality of that forum, what I am simply asking is, what is the criteria being set that the selection board are asked to follow and who would set that criteria, what is the criteria?

HON CHIEF MINISTER:

The criteria is set by the Government. The criteria are applied by the members of the selection board who make recommendations to the Government and the criteria

broadly are that the successful applicant for the job has to have the necessary ability to discharge the job. Those have been advertised in the job advertisements for each of the three positions. If the Government decide that in the light of applications it is necessary to consider persons with less qualifications than was originally included in the advertisement, that is a matter that the Government would have to decide upon in the light of the job that he is doing but that has not occurred in relation to the two jobs below the director level. It has occurred in relation to the Director job in the sense that the two qualified, if I could put it that way, applicants withdrew for one reason or another leaving local applicants who did not technically comply with the job as advertised and the Government are at a very advanced stage of making the decision. Indeed, I think I can now go further than that to say that the Government have decided to redefine the duties of the job that was going to be the Commercial Director of tourism that is now not going to be called the Director of Tourism and have different job specification to try and bring it within the competence of one of the local applicants that has applied. The alternative would have been to have abandoned the exercise altogether but of course nor will the new job as redefined carry with it the salary that was advertised for somebody with senior commercial experience in tourism internationally.

HON A ISOLA:

Mr Speaker, I am grateful for that answer. From that answer it seems that in fact there has been a delay in the selection of the Director. There has certainly been a change or a moving of the goalpost which we have indicated anyway. Is it a requirement that the person has experience now that the label has changed, maybe that new definition does not require that experience any longer, perhaps if we knew what the new definition is it may answer the question by itself?

HON CHIEF MINISTER:

I do not accept that there has been delay. Delay suggests that a pre-announced and predetermined period of time has been exceeded. As there was no preannounced or predetermined period of time there has been nothing to exceed and therefore there cannot be any delay. But I should add that the redefinition of the job is to make it more managerial and less commercially-orientated. In effect, a Managing Director of the Tourism Board as opposed to a Commercial Director of Tourism. We would rely on the tourism input from the local recruits at production and sales and marketing levels.

HON A ISOLA:

Administrative position? Management level, not
touristic?

HON CHIEF MINISTER:

No, no, there is much more to management than
administration, as I am sure the hon Member is aware of.
I see where his mischievousness is seeking to take the
Government. This is not administrative in the civil
service sense as you understand, this is managerial in a
business sense, do you understand?

ORAL

NO. 181 OF 1997

THE HON A ISOLA

CRUISE LINER VISITS

Can Government state how many cruise liners are scheduled to visit Gibraltar from 1st July to the 30th October and the comparable numbers for 1996 and 1995?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Mr Speaker, 48 cruise liners are expected to call at Gibraltar between 1st July and 31st October 1997.

The comparable figures for this period for 1996 and 1995 are 58 and 56 respectively.

NO. 182 OF 1997

THE HON J GABAY

GOVERNMENT SUBSIDIES

Can Government confirm that it intends to provide a subsidy towards the cost of a proposed concert to be given by Spanish tenor Jose Carreras during the festivities leading to National Day?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

The Government have no plans to subsidise a concert by Jose Carreras during the festivities leading to National Day.

A committee under the chairmanship of my learned Colleague, the Hon Dr Linares, is finalising plans in regard to the cultural events planned for the week culminating on National Day. A public announcement will be made on this subject shortly.

It is nevertheless true to say that Government are planning cultural events for the future. Public announcements will be made as soon as contractual and commercial considerations permit.

SUPPLEMENTARY TO QUESTION NO. 182 OF 1997

HON J GABAY:

Mr Speaker, I would not like to give the wrong impression here. Of course we would welcome should it materialise to have the presence of a tenor of that category to appear here in Gibraltar. It was simply that should the possibility arise whether the Government might be willing to consider subsidising such an event, particularly within the calendar of National Day?

HON CHIEF MINISTER:

Mr Speaker, I would urge the hon Member not to put further questions on this subject, but it may be possible to satisfy some of his curiosity in a forum that will not prejudice the attainment of things that we are seeking to achieve. I hope that he can understand that. The reference to the timing in relation to contractual and commercial considerations I think is the signal as to the meaning of what I am trying to convey to the hon Member

now. It would not be the opportune moment for the Government to answer the question that the hon Member is putting.

ORAL

NO. 183 OF 1997

THE HON J C PEREZ

CRUTCHETT'S RAMP - PETITION BY RESIDENTS

Has the Minister with responsibility for traffic now considered the petition presented to him by the residents of Crutchett's Ramp?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

I am of course aware of the petition presented by the residents of Crutchett's Ramp and the surrounding streets, dated 4th April 1997. In addition, I was sent a copy of a letter addressed to the Commissioner of Police dated 18th April 1997 by a resident of Demaya's Ramp and a letter was addressed to me by the proprietor of a business in Crutchett's Ramp on 20th May 1997, voicing similar concerns.

Government have as yet not taken final decisions regarding traffic access to the portions of Main Street that have been beautified. It is therefore premature to reply to the petition from Crutchett's Ramp residents.

Obviously, their views are on record and will be considered by Government, together with the views which include the Chamber of Commerce, the Gibraltar Distributors' Association, the Main Street Association, the Gibraltar Federation of Small Businesses, and other representative bodies, before arriving at a final decision on traffic flows and restrictions in Main Street and the surrounding areas.

In the meantime, Main Street will continue with the current restrictions as the contractors are not yet in a position to hand the project back to Government until certain minor works are performed, all street furniture is in place and "snagging" is completed, which I am informed is a complicated process for a project of the magnitude of the Main Street beautification scheme.

SUPPLEMENTARY TO QUESTION NO. 183 OF 1997

HON J C PEREZ:

Mr Speaker, does the Minister not consider that as a result of certain letters that have appeared in the press there are certain cases which merit immediate attention

and that there is merit in some of the arguments that have been put by the residents for the Government to take immediate steps to alleviate that situation. For example, is the Minister not aware that there is a lady that has not been able to leave her house for three months because of the problem with access to her house and that she now seems to be listening to mass at home because she cannot go to Sunday mass?

HON J J HOLLIDAY:

Mr Speaker, one thing that we have to bear in mind is that any policy decisions that are taken in respect of Crutchett's Ramp and in fact any other area can have serious implications on the overall policy for the pedestrianisation or otherwise of the different sections of Main Street and therefore in the light of the fact that we are now very close to termination and implementation of Government policy, I think that the extra few days/weeks that we are now waiting is possibly the right time to put the whole scheme into place.

HON J C PEREZ:

Could the Minister give a commitment please that in assessing the situation however much one would like the fewer number of vehicles possible to be able to have access to places in order to make pedestrianisation a success, can the Minister please ensure that sufficient weight is being given to some of the argument being put by those residents in order to alleviate some of the problems that are being pointed out?

HON J J HOLLIDAY:

I think what the Government can do is assure the hon Member that due consideration will be given. There are a number of issues that have to be considered and a lot of them are very important issues but being the caring Government that we are, I am sure we will come up with some formula that will satisfy the majority of us.

HON J L BALDACHINO:

Mr Speaker, taking up from what the Minister has just said, seeing that they are a caring Government and seeing that an effort has been made in the pedestrianisation of Main Street to make it as environmentally friendly for disabled people to use, what is it then that they have to take into consideration? If somebody because pedestrianisation of Main Street has now taken place, or some persons will now not be able to leave their homes because of putting restrictions because of that, could there not be an allowance for this sort of persons with

this sort of disability to be able to leave home without any restrictions whatsoever?

HON CHIEF MINISTER:

Mr Speaker, the answer has already been given by my Colleague the Minister for Transport. The Government will take all factors into consideration when making its decisions. Some of those factors conflict with each other. Some of those considerations are in conflict with one another and it is the Government's responsibility to put them all in the balance and decide what the decision is. The decision will create winners and losers. All that we are willing to commit ourselves to doing at this stage is to give all the competing interests due weight in the decision-making process and if the hon Member is trying to get the Government to commit itself now to allow vehicular access up to Crutchett's Ramp after the Main Street beautification and the Casemates beautification projects are complete the answer is that the Government are not willing to commit itself to that at this stage without giving any indication as to what the decision will be when the Government make its policy decision on that.

NO. 184 OF 1997

THE HON J C PEREZ

VEHICLE ACCESS - ENGINEER LANE

Can Government state whether the existing arrangements giving vehicles access to the Engineer Lane car park are of a temporary nature?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

Mr Speaker, I can indeed confirm that this is the case.

SUPPLEMENTARY TO QUESTION NO. 184 OF 1997

HON J C PEREZ:

The existing arrangement being the one that is today or the one that was yesterday? When I put the question there was one arrangement and since then it has been changed three times, can the Minister state which of the arrangements is of a temporary nature? [Hon J J Holliday - All.] All of them are, even access through the Piazza which is the one that has been there permanently before that, that is still temporary? Can the Minister state when are the Government to be in a position to state what the permanent access is going to be to that and to the Cornwall's Lane car park and to the temporary change of traffic in Town Range etc?

HON J J HOLLIDAY:

Government will be in a position to take a final decision shortly but no actual implementation of this policy will be possible until the contractors have handed the project back to Government and this is anticipated to take a few weeks from now.

HON J C PEREZ:

But by that time there will be certainly a decision of the Government of what it would be desirable should be the access to these places, at least that?

HON J J HOLLIDAY:

Most certainly, that will be the case and obviously we will also undertake to consult some of the bodies that have made representations to us in order to try and see whether we can meet some of their requirements as well.

NO. 185 OF 1997

THE HON J C PEREZ

TRAFFIC FLOW - UPPER ROCK

Can Government state how is it intended to deviate traffic from the Upper Rock so that it does not pass through the City Centre?

ANSWER

THE HON THE MINISTER FOR TOURISM AND TRANSPORT

In the first place, I would like to indicate that Government are of the view that it would be helpful to deviate traffic from the Upper Rock so that it does not pass through the City Centre.

However, the Government are not yet in a position to say how this will be done. The matter is presently under active review and consideration.

SUPPLEMENTARY TO QUESTION NO. 185 OF 1997

HON J C PEREZ:

So in fact the comments made by the Chief Minister during the budget that there was not only the tunnel, that there were other options that could be looked at, was just a passing comment, I presume? That there was another road, not only the tunnel idea that I had suggested, was it a passing comment by the hon Member?

HON CHIEF MINISTER:

It was passing but accurate in the sense that it is not a question that there is a new road. If the hon Member asks half a dozen questions all of which depend whether it is in relation to access Engineer Lane car park or whether it is in relation to the widening of Lovers' Lane or whether it is in relation to the bringing down of traffic from the Upper Rock avoiding the town, all of these issues are closely and inextricably and inevitably linked to the overall review of traffic and I know that the hon Member understands this because he used to have responsibility for traffic. When we answer all the questions by saying that the matter is still under active consideration and we are not in a position to say so yet, it is that until all the pieces of the jigsaw are together we cannot commit ourselves to any piece of it because they all depend on one another and really it is

not until the Government make a final decision on what could be quite major changes in traffic flow system in Gibraltar that we would be able to be specific for example on this aspect of it which is an integral part of the change of traffic flow.

HON J C PEREZ:

Whilst I understand what the Chief Minister is saying, does he not see that he has been giving me that similar answer for over a year now and that there are people affected directly on a daily basis by the changes in the traffic and by the problems affected to it and there have been drivers which have been very, very tolerant as a result of understanding that the works in Main Street were being done. Now that they are being finalised there is expectations that some of these things at least would be alleviated as a result of the Main Street project coming to an end. I am talking generally about what the hon Member has said. I persist with the questions because what I have been getting from the Government for over a year now is this question of an overall study that is being considered and I understand they have a lot of other things, a lot of things to do, but it is something that ought to be given priority now because the situation is getting chaotic.

HON CHIEF MINISTER:

Mr Speaker, I do not know if the situation in relation to getting traffic down from the Upper Rock without going through the City Centre, which is what the question relates to is chaotic or not but if it is chaotic, it is as chaotic as it was for the last eight years whilst they were in Government because there have been no changes. I know of no one that is suffering any inconvenience as a result of the fact that the Government have taken a year to decide whether it wants to change the traffic system for getting down from the Upper Rock which has existed for the last hundred years. Now the inconvenience is certainly being suffered by people who are disrupted by the Main Street beautification.....

HON J C PEREZ:

..... including the traffic from the Upper Rock?

HON CHIEF MINISTER:

Yes, but by virtue of the Main Street beautification. It has nothing to do with getting traffic down from the Upper Rock in a way which does not pass through the city centre, that is an environmental policy which this Government have, which the previous Government clearly

did not have or did not give the same degree of importance to it that we have because although I know that the hon Opposition Member is a great enthusiast of the tunnel option in that respect and they were also investigating the Calpe Road venture, we are so determined to decongest the upper town from through traffic of this sort for environmental and other reasons that we are finding another alternative to avoiding the traffic which does not require the tunnel and which does not require the Calpe Road, desirable as this might be. Whereas the inconvenience suffered as a result of the Main Street beautification disruption is about to be alleviated soon, the other is a matter of Government policy in which perhaps it has taken a year but could take longer.

HON J C PEREZ:

Which comes to my original question which has not been answered. The Chief Minister has just said that he is looking at another method instead of the tunnel and that was what my original question was asking, what is the other method?

HON CHIEF MINISTER:

The hon Member's question is how is it intended to deviate? That suggests that a decision has been taken and that there is a decision as to how it is intended to do it. There are any number of possible ways of doing it and the Government have not yet decided which it wishes to select.

HON J C PEREZ:

Which is the one that the Chief Minister is looking at which he mentioned at the time of the budget and he has mentioned again this afternoon?

HON CHIEF MINISTER:

The hon Member does not have to give account for the Government's thought process whilst it is deliberating.....

HON J C PEREZ:

I do not intend to, do not worry.

HON CHIEF MINISTER:

Fine, and therefore when a decision has been taken the hon Member will discover it, we do not have to give detailed account of all the options that we are

considering. This is not just what Question Time is for. The fact of the matter is that when the Government have decided how it wants to deal or if it wants to deal with this problem, which of course is not something which the hon Members thought was necessary to be dealt with. We think it is necessary to deal with it. It will be dealt with in accordance with the time scale that the Government wish to attach to what is its own policy and it might take another week or another month. It is hardly something that the hon Member can seek to put me under pressure for, given that in the eight years that he was responsible for the portfolio it did not happen at all.

HON J C PEREZ:

Can the Chief Minister then confirm that there are ideas being looked at by the Government but that what happens is that it does not want to disclose them here this afternoon. Can he confirm that that is the position of the Government?

HON CHIEF MINISTER:

Mr Speaker, there are any number of ways of getting the traffic down into Main Street. I have already told the hon Member that they involve reversing the traffic flows along certain streets and that is the system. If the hon Member wants me now from memory to tell him which street, every street that is involved in the reversal of traffic flow, the answer is that it is not a reasonable question but it involves the reversal of traffic flows compared to what they are today so that traffic can exit from the Upper Rock by a means which is higher than coming down through the city centre and therefore exit the town. It does not require an awful lot of imagination. Anybody familiar with Gibraltar streets could work out for himself what the possibilities are. There is any number of possibilities in that respect.

HON J C PEREZ:

I thank the Chief Minister for having at long last answered the question.

NO. 186 OF 1997

THE HON J L BALDACHINO

GOVERNMENT HOUSING

How many housing applicants are there with 17 years or over waiting time?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Presently there are 13 applicants on the waiting list with 17 years or over waiting time.

SUPPLEMENTARY TO QUESTION NO. 186 OF 1997

HON J L BALDACHINO:

Can the Minister confirm if the thirteen applicants have never been offered alternative accommodation?

HON H CORBY:

Mr Speaker, of the thirteen applicants, six have already been made first offers, three applicants who had been removed have been reinstated, and a further four are awaiting an offer of accommodation, which makes the thirteen.

HON J L BALDACHINO:

My question was, Mr Speaker, if during the seventeen years they have been waiting, apart from the offers that have now been made by the Minister, have they never been given an offer before?

HON H CORBY:

Mr Speaker, I can tell the hon Member what offers have been given by my Government. I do not know what offers have been made by previous administrations.

HON J L BALDACHINO:

I expect the Minister does not have this information here with him but would he provide me with the room requirements of each case, at a later date?

HON H CORBY:

No, I have not got this information with me but I will certainly pass it on to the hon Member.

HON J J BOSSANO:

Mr Speaker, I take it that the offers that the Minister says are being made or will be made are being made or will be made in fact by the Housing Allocation Committee based on pointage and on the housing scheme?

HON H CORBY:

That is correct.

HON J J BOSSANO:

So in fact, presumably the people that have been that long on the waiting list will be high up on pointage, since points are accumulated for waiting time?

HON H CORBY:

Yes, they are. Most of them, Mr Speaker, are on top of the list and this is why they have been made the offers very soon because there is a limited housing stock at the moment. They are well up on the housing waiting list.

HON J J BOSSANO:

So therefore if they are way up on the housing list, it is not difficult to find out from the records of the Housing Allocation Committee, which has always been independent of whoever happened to be the Minister, whether in fact they have previously rejected offers and that is why they happen to be so long, because it is unusual.

HON H CORBY:

Yes, but this is not the question that was asked by the Opposition Member. The Question is how many people are now waiting for seventeen years? If the question would have been, how many offers had been made, I would have been able to give him the answer.

HON J J BOSSANO:

Yes, that might not have been the original question but the supplementary in fact was to try and establish whether they have actually been seventeen years and never had an offer for housing, which would be very unusual given the rules that the scheme works to.

HON H CORBY:

Yes, but I have no indication of that whatsoever.

HON J J BOSSANO:

But it is possible for the Minister to find out?

HON H CORBY:

Yes, certainly.

HON J L BALDACHINO:

Mr speaker, there is also a possibility that due to how the Housing Allocation scheme works, that even though people might be a long time waiting, an applicant for a long time, it might be that due to the accommodation or how they are accommodated they might not have the points that other people have who have been less time waiting. It could also be a case where even though they might not have had an offer it could have been the case that due to how the scheme works, the offer might never have come to them because other people might have gone up?

HON H CORBY:

The list that I have, Mr Speaker, they are well on top of the housing list and I have said this before.

HON J L BALDACHINO:

But due to how the pointage system works on the housing allocation scheme, it is not only the consideration of waiting time, there might be other factors considered on allocations or offers before those people, due to the fact that those on the waiting time, are worse off accommodated than those that are.....

HON H CORBY:

That is a possibility, Mr Speaker, of course it is.

NO. 187 OF 1997

THE HON J L BALDACHINO

GOVERNMENT HOUSING - VACANT UNITS

Can Government state how many post-war flats are vacant to date?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Mr Speaker, as at 23rd June 1997, there are 39 post-war flats that are vacant.

SUPPLEMENTARY TO QUESTION NO. 187 OF 1997

HON J L BALDACHINO:

Mr Speaker, out of these 39 does that also include the flats of the conversion in the old St Joseph's School?

HON H CORBY:

No, those have already been given out to people on the waiting list.

HON J L BALDACHINO:

Therefore, Mr Speaker, how long ago were those on offer? Were they out of the 65 that were mentioned before?

HON H CORBY:

The thing is, Mr Speaker, that we have been giving houses as was proposed here a while ago by giving materials which people use to do the work themselves. That is why it has come down and of these 39 post-war flats, 27 have already been offered to applicants on the waiting list, 2 are currently in the process of being refurbished by Buildings and Works and we are currently awaiting replies from the persons that have been offered these flats whether they will accept them or not. Of the remaining ten flats these are currently with Buildings and Works Department awaiting refurbishment. These flats cannot be given out on this basis because of their bad condition and therefore they need to be refurbished before they are allocated. It is not a matter of giving a person the materials because the cost involved would be prohibitive for them.

HON J L BALDACHINO:

Of the 27 mentioned by the Minister, have they been offered and accepted on the condition that they would refurbish them themselves?

HON H CORBY:

Most of them have been given with that criteria. Very few have been done by Buildings and Works. Of the 27 flats, we are still waiting for a yes or no answer.

HON J L BALDACHINO:

That is not the case on the old St Joseph's School?

HON H CORBY:

No.

NO. 188 OF 1997

THE HON J L BALDACHINO

GOVERNMENT HOUSING - VACANT UNITS

Can Government state how many pre-war flats are vacant to date?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Mr Speaker, there are 47 pre-war flats vacant as at 23rd June 1997.

SUPPLEMENTARY TO QUESTION NO. 188 OF 1997

HON J L BALDACHINO:

Mr Speaker, out of these 47, are they earmarked to be given to social cases, or are some of them in such a condition that they will not be able to be habitable for human habitation?

HON H CORBY:

Mr Speaker, some of them have been given to social cases and six of them have been offered in as far as social cases are concerned and they are under offer. Unfortunately, it is not possible for the other flats to be given out, as pre-war flats are in a very bad condition and Buildings and Works will have to undertake works on them.

HON J L BALDACHINO:

I understand that but one of the points of the question, even though the question asked how many pre-war flats are vacant today and obviously the Minister said 47, what I am asking is, is it that all 47 are able to be refurbished to be in human habitable condition? Because sometimes you get flats in the Housing Department which are there vacant but in no way can be refurbished for human habitation, is any of these 47 in that condition or is it that the 47 will be able to be refurbished one way or another so they can be given out and they will meet at least minimum requirements for human habitation?

HON H CORBY:

No, the six flats that I have stated are capable of being given to social cases on the basis of giving them the materials. Of the rest, they are in such bad conditions that Buildings and Works will have to undertake the works themselves. We cannot give them to the people.

HON J J BOSSANO:

The question really is, are any of the remaining 41 not repairable at reasonable cost, that is to say, there are flats presumably which once they get surveyed would require so much done to them that they might as well build a new house than repair it, are any of those in that condition or is it not known?

HON H CORBY:

No, I am afraid that as Buildings and Works work very slowly that we are told that they in a bad condition but no survey has been undertaken. We would have to have a directive from Buildings and Works in as far as it is possible to repair them or we just leave them as they are.

HON J J BOSSANO:

So the assumption is that the 41 can be made habitable, that is the assumption?

HON H CORBY:

Yes.

ORAL

NO. 189 OF 1997

THE HON J L BALDACHINO

GOVERNMENT HOUSING - KING'S BASTION

Is it Government's intention to rehouse the tenants of King's Bastion?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Mr Speaker, Government have no such plans at this stage, but that remains a possibility in the longer term, depending on what plans emerge from the development of the King's Bastion site generally.

ORAL

NO. 190 OF 1997

THE HON R MOR

FRONTIER WORKERS

Can Government state how many frontier workers are classified as self-employed broken down as follows:

- (a) UK nationals
- (b) Spanish nationals
- (c) Other EU nationals
- (d) Non-EU nationals

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Mr Speaker,

(a) UK Nationals	19
(b) Spanish Nationals	14
(c) Other EU Nationals	NIL
(d) Non EU Nationals	NIL

NO. 191 OF 1997

THE HON R MOR

SOCIAL SECURITY - SELF-EMPLOYED INSURANCE CARDS

Since the 29 April 1997, how many self employed social insurance cards have been issued broken down as follows:

- (a) Gibraltarians
- (b) UK Nationals
- (c) Other EU Nationals
- (d) Non-EU nationals

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

Mr Speaker,

(a) Gibraltarians	11
(b) UK Nationals	4
(c) Other EU Nationals	3
(d) Non-EU Nationals	2

ORAL

NO. 192 OF 1997

THE HON R MOR

PRISON - NUMBER OF INMATES

What is the current number of Gibraltarian and other different nationalities held in prison and in respect of Gibraltarians can the Government provide a breakdown of the offences leading to their imprisonment?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

At present there are 25 inmates in the Prison. Of these there are 12 Gibraltarians, 3 British (UK), 6 Spanish, 3 Moroccan and 1 French.

With respect of the Gibraltarians in prison, the offences are mainly in respect of theft, burglary and drugs. If the Hon Member so wishes, I can provide him with a more detailed breakdown separately.

SUPPLEMENTARY TO QUESTION NO. 192 OF 1997

HON R MOR:

I would be grateful for that.

NO. 193 OF 1997

THE HON R MOR

SOCIAL SECURITY - CLOSED LONG-TERM BENEFITS FUND

Can Government state what was the number of pensions being paid or with entitlement to payment in April and May 1997 from the Closed Long-Term Benefits Fund, giving a breakdown of pre-1969 Spanish pensions and locally-funded pensions, showing the number of Gibraltarians, Moroccans and other nationalities?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The following pensioners were entitled to payment from the Closed Long-Term Benefits Fund in April and May 1997.

	April	May
Pre-1969 Spanish pensioners	8567	8598
British pensioners (Gibraltar & UK Nationals)	4592	4608
Moroccan pensioners	799	819
Other nationalities	<u>225</u>	<u>228</u>
TOTAL	<u>14183</u>	<u>14253</u>

NO. 194 OF 1997

THE HON R MOR

SOCIAL SECURITY - CLOSED LONG-TERM BENEFITS FUND

Can Government state what was the balance of the Closed Long-Term Benefits Fund as at 30th April and 31st May 1997, showing the amount from UK and local funds and the expenditure in payment to former Spanish workers and to pensioners from local funds?

ANSWER

THE HON THE MINISTER FOR SOCIAL AFFAIRS

The revised forecast balance of the Closed Long-Term Benefits Fund as at 31st May 1997 is £7.3 million.

Receipts from the UK for the month of April 1997 totalled £1 million from which payments to Spanish pensioners, totalling £574K and £488K were made during April 1997 and May 1997 respectively. There was a surplus balance of £200K brought forward from March 1997 between receipts received from UK and payments made to Spanish pensioners.

Payments of local pensions totalled £702K and £425K for the months of April 1997 and May 1997 respectively.

Other receipts of the Fund included interest earned on investments totalling £24K and £20K for April 1997 and May 1997 respectively.

The forecast balance of the Fund for April 1997 and May 1997 is £7.1 million and £6.2 million respectively.

ORAL

NO. 195 OF 1997

THE HON J GABAY

EDUCATION - BISHOP FITZGERALD AND GOVERNOR'S MEADOW SCHOOLS

Can Government state whether works on the extensions of Bishop Fitzgerald and Governor's Meadow Schools have already commenced?

ANSWER

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

Works on the extensions of Bishop Fitzgerald and Governor's Meadow Schools commenced on the 17th March and they are now well advanced.

SUPPLEMENTARY TO QUESTION NO. 195 OF 1997

HON J GABAY:

Could the Minister specify when it is hoped that the works will be completed?

HON DR B LINARES:

Mr Speaker, the works of the extension to Bishop Fitzgerald School are scheduled to be completed by the 15th August and the extension to Governor's Meadow School is scheduled to be completed by the 29th August.

HON J GABAY:

Could the Minister also tell us whether the work is out on contract and, if so, to whom?

HON DR B LINARES:

The works are out to contract and the name of the firm is Profield Contractors Limited.

NO. 196 OF 1997

THE HON J GABAY

EDUCATION - REFURBISHMENT OF SCHOOLS

Can Government state what is the programme of refurbishment of schools which is to be undertaken before the commencement of the school term in September?

ANSWER

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

The Department intends to carry out the following programme of minor works before the start of the school term in September:

1. Repair roofs to eleven schools which experienced water ingress last winter.
2. Construct a one-classroom extension at Bayside School which is needed for next academic year.
3. Construct an extension to Notre Dame nursery to provide more ample provision.
4. Construct an extension to St Martin's School to cater for the new Assessment and Observation Unit for pre-schoolers with special needs.
5. Installation of fire escapes in Bishop Fitzgerald School as specified by the City Fire Brigade.

NO. 197 OF 1997

THE HON J GABAY

EDUCATION - PROPOSALS FOR A UNIVERSITY

Have Government received new proposals for establishing a University Campus at Lathbury Barracks?

ANSWER

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

Government have not received any formal proposals for establishing a University at Lathbury Barracks. I have been in correspondence and held discussions with Professor Peter Watson, Executive Pro-Vice Chancellor of Buckingham University and their partners in Gibraltar, University College Ltd. Buckingham University have shown great interest on the possible establishment of a University presence in Gibraltar aimed at students from abroad and for this purpose they have launched a wide-ranging marketing survey. Pending the outcome of this survey they may then make formal business proposals to the Government and these will be duly assessed by the Government on their merits.

Preliminary proposals have also been made by CTV (Cultural TV) International Ltd to establish at Lathbury Barracks a Global Distance Learning Facility based on a satellite communications system and these proposals are currently being studied by the Government.

SUPPLEMENTARY TO QUESTION NO. 197 OF 1977

HON J GABAY:

Mr Speaker, could I therefore ask what is in fact the Government policy with regard to the establishment of a university in Gibraltar at Lathbury Barracks? Is it just one more possible enterprise amongst others or is there some sort of commitment to encourage the future of a university at Lathbury Barracks?

HON P I MONTEGRIFFO:

Mr speaker, before my hon Colleague replies about the university proposals, let me make clear what was already stated at the time of the budget, that the Government propose to seek outline proposals from interested parties with regard to possible uses with regard to Lathbury

Barracks. We are very shortly going to do that and as I anticipated at the budget session, Mr Speaker, that will invite interested parties to make proposals, both in the context of Lathbury Barracks as a whole or indeed with regard to each constituent part of Lathbury Barracks. As hon Members will appreciate the site is such that it is capable of division and therefore capable of development in separate ways rather than as a single monolithic entity. That will be what broadly happens to Lathbury Barracks. The university or other proposals that are being received on a parallel basis will be considered in the context of the overall proposals that are received hopefully in due course.

HON J GABAY:

Mr Speaker, so therefore we are in a position to say that the Government policy with regard to the establishment of a university is an open one in the sense that it will compete with other possibilities to which the site can be used?

HON P I MONTEGRIFFO:

With regard to Lathbury Barracks, yes, but that is not to say that if a proposal, if it were to be the case, that some other proposal won the day, that is not to say that the Government would not want to consider that proposal for such a facility elsewhere in Gibraltar. It is not as though Lathbury Barracks is the only place where such a proposal could be accommodated.

NO. 198 OF 1997

THE HON J C PEREZ

GIBRALTAR GOVERNMENT LOTTERY

Can Government specify which are the changes that are being considered in respect of the Gibraltar Government Lottery?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES & SPORT

Government at present have no plans to change the present format of the Gibraltar Government Lottery. Proposals for changes have been submitted by the Lottery Agents' Association and are being studied. Advice has been sought from the Gibraltar Government Lottery Committee and the financial implications of these proposals are also being evaluated. A questionnaire will shortly be circulated to the public seeking information and reaction to the present lottery structure.

SUPPLEMENTARY TO QUESTION NO. 198 OF 1977

HON J C PEREZ:

So although Government itself is not proposing the changes can the Minister state what are the proposed changes being made by the Agents?

HON LT COL E M BRITTO:

No, Mr Speaker. In answer to the first question, Government itself have not made any proposals for changes and, secondly, I think it would be inappropriate at this moment in time to give details of the changes proposed by the agents.

ORAL

NO. 199 OF 1997

THE HON J C PEREZ

GOVERNMENT HOUSING - TOWER BLOCKS

Can Government state for how long have tenants at the Tower Blocks at Glacis Estate been without brackish water?

ANSWER

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

Mr Speaker, one week.

SUPPLEMENTARY TO QUESTION NO. 199 OF 1997

HON J C PEREZ:

Is it not the case that there is a mix up between Lyonnaise des Eaux and Buildings and Works as to who has to repair the situation and that that has resulted in the Tower Blocks being without brackish water as a result of the confusion as to whose responsibility it is?

HON J J NETTO:

The information that I have is that the defect was reported on the 13th of June and works commenced on the same day. However, on Union instructions workers from the Warden Section who had to remove an accumulation of rubbish which was covering the pipes stopped work and did not notify anyone. The works were resumed on the 20th June when the matter was reported again and completed on the same day.

HON J C PEREZ:

So the Minister is saying that the matter is resolved?

HON J J NETTO:

Yes.

NO. 200 OF 1997

THE HON J C PEREZ

GIBRALTAR NYNEX - TELEPHONE BILLS

Can Government confirm that the information contained in customer telephone bills issued by Gibraltar Nynex is confidential?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Government can confirm that the information contained in customer telephone bills issued by Gibraltar Nynex is confidential.

SUPPLEMENTARY TO QUESTION NO. 200 OF 1997

HON J C PEREZ:

Mr Speaker, having read the public apology that has been given by Gibraltar Nynex over an incident that was disclosed by a local newspaper, is the Minister satisfied that the matters that have been put in place by the company will avoid such a situation in the future?

HON LT COL E M BRITTO:

Yes, Mr Speaker.

ORAL

NO. 201 OF 1997

THE HON J C PEREZ

GIBTEL AND NYNEX - MERGER

Can Government state whether the independent study over the possible merger of Gibtel and Gibraltar Nynex has been concluded?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

An independent study over the possible merger of Gibtel and Gibraltar Nynex has not yet been concluded.

At present an independent valuation has been carried out of each Company separately and these valuations are being studied by each company and by the Government.

Only until such time as this phase has been completed, and with the agreement of both companies, will it then be possible to produce a draft valuation memorandum of the merged companies for consideration by its shareholders.

SUPPLEMENTARY TO QUESTION NO. 201 OF 1997

HON J C PEREZ:

Mr Speaker, could the Minister give a commitment that if it were possible to proceed in the manner where the two companies merged interests, that the two companies could continue to function as separate entities even though their tasks might be different for the purposes of economies?

HON LT COL E M BRITTO:

It is difficult at this stage for the Government to give such commitment but I think as the Opposition Member well knows, the work of the two companies are, in essence, different because of the type of work that they do. Therefore, it is probable that what would emerge would be two separate operations but what the commercial arrangement for those two operations which might be physically separate, what the actual commercial arrangement would be, it is very difficult to predict at this stage and certainly I am not in a position to make any commitment.

HON J C PEREZ:

Obviously the report will be available to the Government as a shareholder of each of the companies? Will the Minister perhaps commit himself to making it available to me on a confidential basis?

HON LT COL E M BRITTO:

I am not in a position at this moment to make such a commitment.

HON J C PEREZ:

Given that the matter is in the public domain and that the Minister has mentioned that such a report is being conducted, I presume that the House will be informed of the decision that the companies make as to the feasibility of the possible merger of interest, or not, once that study has been considered by each of the companies.

HON LT COL E M BRITTO:

Yes, Mr Speaker, the matter is essentially a commercial one and obviously with the Government as a 50 per cent shareholder in both companies, there is a certain amount of interest, to put it mildly and obviously there is the greater interest because of the subject of telecommunications. Once the picture is clearer and decisions are made in consultation and together with the shareholders in each of the two companies, the House will be informed.

HON CHIEF MINISTER:

May I just add to that, Mr Speaker. I think possibly more than just inform. Any decision that the Government make as shareholder of each company is validly debatable in this House and the House is entitled to an account. What we seek to do is to distinguish between what the Government do as Government and therefore, as Government that happens to be a shareholder, for which of course we will account. It may well be that it is possible to bring what is intended to be done to this House for discussion before it is done, not just inform them of what has been done. But I would just like to add to what my Colleague said in answer to the hon Member for his inability to commit himself to provide the valuation. As is not unusual when professional firms of accountants undertake valuations, they will only agree to do valuations on condition that they are not shown to a third party because they fear that if their valuations are shown to people other than parties for whom they are

done that those other parties might rely on the valuation for purposes that they did not intend and expose them to liability. All the three parties involved had to sign an undertaking that they would not show the valuation to any third party. It may be possible, we will consult the valuer to see if they are willing to give us any partial release that will allow us to inform the Member confidentially. From the Government's point of view we have no objection to making the information available to the hon Member confidentially, provided that we can get permission from the valuer to do that.

NO. 202 OF 1997

THE HON MISS M I MONTEGRIFFO

POST OF SPORTS DEVELOPMENT OFFICER

Can Government state when the post of Sports Development Officer was filled?

ANSWER

THE HON THE MINISTER FOR GOVERNMENT SERVICES AND SPORT

Mr Speaker, the post of Sports Development Officer has not yet been filled.

SUPPLEMENTARY TO QUESTION NO. 202 OF 1997

HON MISS M I MONTEGRIFFO:

Mr Speaker, can the Minister give an approximate date of when the Government expect the post to be filled?

HON LT COL E M BRITTO:

No, Mr Speaker, because the situation at the moment is that although Mr Holden was made a formal offer of employment on the 14th April, with a proposed starting date of the 1st September of this year, and Mr Holden who, as the hon Member knows, was the identified person for the post, replied in writing on the 25th April accepting in principle the conditions of employment being offered, and only requesting a minor change of starting date being the 1st October. At that stage the Government confirmed its offer of employment and accepted his request for a change. Subsequently Mr Holden has regrettably informed the Personnel Department of the Government verbally and supported in writing subsequently that for personal reasons and for a number of difficult reasons he has reconsidered his position and he is now not in a position to accept the offer of employment. I understand Mr Holden intends to return to UK in August of this year and despite efforts that were made, apparently he has greater interest in other things that are being offered to him elsewhere.

HON MISS M I MONTEGRIFFO:

Mr Speaker, can the Minister say how the Government intend to continue with the filling of the post of Sports Development Officer?

HON LT COL E M BRITTO:

No, Mr Speaker. The position is being reviewed at the moment and the decision on how we will proceed from now is not clear. The concept of sports development and the Sports Development Unit will be maintained. We will be seeking to fill the post but the actual procedure has not started yet.

HON MISS M I MONTEGRIFFO:

Mr Speaker will the Minister confirm at least whether the Government have intentions of filling the post by advertising it and it going through the normal civil service channels?

HON CHIEF MINISTER:

What the Government do not do is accept the implications behind that question. What has happened in the case of Mr Holden is not in accordance with, that for reasons that have not been perfectly justified on a number of occasions, the Government fill all posts by reference to selection procedures and recruitment including posts in companies. Really, we have no need to be reminded by the hon Member of how recruitment should be done. However, as to how the recruitment will be done, this recruitment will be done in accordance with established Government policy for recruitment which is by advertising and then by establishing a selection board which will comprise of a mixture of people interested in the selection as well as representatives of the Personnel Department and that, whether or not, is for the civil service, even if it were to be done by a company.

HON J J BOSSANO:

Mr Speaker, am I right in thinking that the post is a vacant post in the establishment and that under General Orders would be filled internally by applications from within the service, following the normal procedure? Am I right?

HON CHIEF MINISTER:

The hon Member should not assume that.

HON J J BOSSANO:

Mr Speaker, is it not the case that we provided for the post in the Estimates of Expenditure this year as an established post within the civil service filled by a contract officer?

HON CHIEF MINISTER:

Mr Speaker it is open to the Government to fill that. It is in the establishment in the sense that it was in the sheets of information attached in the Estimates. It is not a vacancy, the post has never been occupied. The Government reserve the right to fill it by the recruitment of a contract officer if after it has been considered by the Sports Advisory Council it should be their advice that that should be the best way to proceed, Certainly the Government have got no preconceived notion about how it will be done because it has simply not addressed the issue yet but we are not willing to close the door without thereby suggesting that there is one door that we want to go through. We do not want to close either doors.

HON J J BOSSANO:

I am not asking them to close or open any doors, nor is there anything behind the question which the Chief Minister always assumes there is. I am trying to establish whether in fact we can put any credence on the figures he gave because he now tells me that the fact it appears on a sheet which says Establishment does not necessarily mean anything anymore. If, indeed, the money that has been voted in the House is for a post in the civil service, does it not follow, given that they seem to want to adhere literally to the letter of General Orders that under General Orders there is a procedure laid down which is required to be followed for filling such posts.

HON CHIEF MINISTER:

That presupposes that the recruitment is to fill that post and not some other post which could be filled. In other words, if it is an established post that has got to be filled then of course there is a procedure to be followed but it is not obligatory to fill that post as opposed to any other. I do not want my answer to signal any predisposition by the Government or any intention by the Government to go one way or the other. The answer is that when the sporting fraternity has decided what sort of person they want to recruit, whether it is permanently or whether it is temporary, perhaps for a period of time to wait for somebody else to finish their studies, for example, the nature of the recruitment will be driven by such considerations and that is all I have been trying to say.

ORAL

NO. 203 OF 1997

THE HON A ISOLA

FSC - INSURANCE COMPANIES

What was the number of insurance companies with their head office in Gibraltar, licensed by the Financial Services Commission as at the 31st May 1997?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker, twelve.

SUPPLEMENTARY TO QUESTION NO. 203 OF 1997

HON A ISOLA:

Are those insurance companies, or insurance managers? I did not realise there were so many insurance companies licensed.

HON P C MONTEGRIFFO:

Mr Speaker, they are insurance companies. Some are captives. The majority are what you would call captives or service type companies of that sort. As far as I am aware there is only one company which is actually an on-shore insurance company that provides products on-shore to residents.

HON A ISOLA:

Would it be possible for the Minister to say what the breakdown is in terms of the on-shore insurance companies and the captives? Is it just one and eleven?

HON P C MONTEGRIFFO:

From glancing on the list it would appear to be the case but I would not want to confirm that, that is a matter really for each company to make their own arrangements. I do not think it is proper to actually outline or give more details. It may be more than that but the majority are definitely the off-shore.

HON J J BOSSANO:

Mr Speaker, am I right in thinking that the question of a company opening branches in other Member States as a consequence of having their licence recognised in Gibraltar would really be a matter that would be of interest to the one company and not to the other eleven?

HON P C MONTEGRIFFO:

No, Mr Speaker. The distinction is between the one company or the very small number that provide policies for business in Gibraltar, that is, they write business in Gibraltar. All the other companies are companies that effectively can write business elsewhere, either for its own parent, if it is a captive, or for other people outside Gibraltar. Passporting is of relevance to both. In a situation of a company that can actually sell products on-shore they may indeed want to sell products outside Gibraltar but in the case of companies that because of their particular status cannot sell products on-shore they may indeed want to expand the services they currently offer perhaps to a parent by offering it to other people outside Gibraltar and passporting is therefore important in that context. Passporting is important to any insurance company that has its head office in Gibraltar. The important distinction, of course, is that if it is like an insurance company that acts in Gibraltar through an intermediary or through a branch, that is not a company that is entitled to passport out. It is only a company with head office in Gibraltar that has the ability to passport out.

HON J J BOSSANO:

Is it not, Mr Speaker, the licence provided by the Financial Services Commission a licence to sell insurance throughout the territory of the Union and therefore how can they not be able to sell insurance on-shore in Gibraltar when we are part of the territory of the Union? Surely, it is inconceivable that we can give a licence to people which prohibits them selling insurance in Gibraltar but permits them to sell insurance everywhere else?

HON P C MONTEGRIFFO:

There is a distinction to be drawn between what the regulator allows and what tax rules allow. An insurance licence issued by the Financial Services Commission is an insurance licence that allows an insurance company to sell insurance anywhere and everywhere where insurance companies are able to do so, including on-shore products. As the hon Member must be aware many of these companies

are incorporated on the basis that they apply for either exempt or qualifying company status under which they are then not able, not as a result of regulation, but as a result of fiscal policy to market products to residents. It is exactly the same in banking, there are banks that are not domestic banks in a fiscal sense but are exempt or qualifying companies and they cannot offer services to local residents, not because their licence from the Commission prevents them but because the fiscal regime they have sought to be regulated by does not allow them to. Indeed, that is not uncommon in other places. Indeed, in most other off-shore centres or international finance centres one of the prices paid for a more favourable tax regime is the lack of ability to access the domestic market as otherwise one would create a distortion in the competitive environment in which domestic service providers operate.

HON J J BOSSANO:

The Minister says that this is not unique to Gibraltar, is it in fact the case also within the other places within the European Union? I can well understand that it is something outside the European Union but then the licences outside the European Union are licences which are limited to the territory where they are issued. If there is nothing to stop a Member State elsewhere licensing somebody to sell insurance in Gibraltar then is there not some inconsistency in what we are doing with the fiscal policy and the Community requirement that the licence is usable universally?

HON P C MONTEGRIFFO:

No, Mr Speaker. I do not think there is inconsistency. Indeed, the provisions of both these fiscal regimes I have mentioned of exempt companies and qualifying companies allow those companies upon seeking permission from the Financial and Development Secretary to access the domestic market if they so wish and indeed there are cases where, for specific reasons, such companies have wished to access domestic markets and therefore it is entirely possible for them to do so but of course they then do so on a domestic tax basis.

ORAL

NO. 204 OF 1997

THE HON A ISOLA

GIBRALTAR BANKS - DEPOSITS

What was the level of deposits in Gibraltar Banks from (a) Residents and (b) Non-residents as at 31st March 1997?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

Mr Speaker,

- | | |
|-------------------|----------------|
| (a) Residents | £283,006,000 |
| (b) Non-Residents | £2,397,972,000 |

ORAL

NO. 205 OF 1997

THE HON A ISOLA

POST OF FINANCE CENTRE DEVELOPMENT DIRECTOR

What are the terms that have been negotiated with the successful applicant of the post of Finance Centre Development Director?

ANSWER

THE HON THE MINISTER FOR TRADE AND INDUSTRY

The Finance Centre Development Director will serve a 2-year term commencing 1st July 1997, as a Relocated Executive Possessing Specialised Skills under the Gibraltar Development Corporation.

He will earn a net salary of £85,000 and will also receive a housing allowance and a gratuity at the end of his term.

Mr Fisher will be responsible for heading the Finance Centre Development Unit within the Department of Trade and Industry. His tasks will include the strategic development of the industry, liaising with the Finance Services sector and promotion.

As hon Members are aware there is enormous competition in this international area of business. Gibraltar's financial services will need to adapt to keep ahead. The appointment of a man with the background and knowledge of Mr Fisher is an extremely important step in this on-going effort.

SUPPLEMENTARY TO QUESTION NO. 205 OF 1997

HON A ISOLA:

Mr Speaker, might I assume that the accommodation and a car is included, except for the fact that you have not mentioned that, accommodation and a car?

HON P C MONTEGRIFFO:

There is no car.

NO. 206 OF 1997

THE HON R MOR

SOCIAL SECURITY - INCOMPLETE CONTRIBUTION RECORDS

Has Government now identified the number of persons with incomplete contribution records as a result of their being prevented from contributing because of the £500 limit?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, yes. The Government have identified 731 persons with incomplete insurance records who were exempted from contributing because of the £500 limit. 23 other persons also have incomplete records as they were self-employed prior to 6th January 1975 and, therefore, not liable to pay social insurance contributions. This figure is broken-up as follows:

	<u>£500 limit</u>	<u>Self-employed</u>
Current pensioners (all British)	197	18
Employed persons under pensionable age	165	2
Persons under pensionable age, no longer in employment, who have contributed after 6th January 1975	38	3
Persons under pensionable age, no longer in employment who have not contributed after 6th January 1975. Some have left Gibraltar or are presumed dead.	331	
	<hr/>	
TOTAL		754

NO. 207 OF 1997

THE HON R MOR

SOCIAL SECURITY - INCOMPLETE CONTRIBUTION CARDS

Have Government now completed its review of the position of pensioners with incomplete contribution records as a result of contributions not being compulsory or possible?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, yes. A review of the position of pensioners with incomplete contribution records has been completed. Government are currently studying the matter.

SUPPLEMENTARY TO QUESTION NO. 207 OF 1997

HON CHIEF MINISTER:

The total amount of arrears in respect of incomplete periods of insurance calculated at the weekly rate in force at the time of non-contributions is just £39,669.10 in total. If these were Spaniards, of course, the Leader of the Opposition would now be leaping to his feet and delivering his usual speech. The pension increases will represent an extra expenditure. The pension increases would represent an extra expenditure of £278,904 per year. That figure only covers the people who have already reached pensionable age. We have not yet finished the exercise of costing what it will cost in respect of the people who are similarly affected but who have not yet reached pensionable age.

HON J J BOSSANO:

The £39,600 I take it includes both groups, does it?

HON CHIEF MINISTER:

Mr Speaker, I do not think so because the financial exercise in respect of the people who have not reached pensionable age has not yet been done so I think that both figures relate to the class of people who have already reached pensionable age. Mr Speaker, a titbit of information which I am sure the hon Members would have identified had they thought about it more carefully. There is a further category of person who we are costing because we anticipate that if the Government addresses this problem, will claim and that is, the widow of

somebody who was affected by this problem but who had died but who is now collecting a widow's pension at the reduced rate. We anticipate that she will say, "Give me the same opportunity that my husband would have been given if he had not died". That would jack up her widow's pension. That will also be costed and that costing has not been done yet. Government are not actually going to make a decision about what it does with any of these categories of people until we know what the overall cost is because it follows that if we now decide to do it for the people that have already reached pensionable age, it follows logically that we must do it also for people as they reach pensionable age. As I said when I first answered this question we need to know what the total cost is before we move forward in this regard. But, of course, it follows that it will be less than the £278,000 because these people who have not yet reached pensionable age by definition have a shorter span of non-contributing years. So we know roughly what the cost is going to be but we hope the whole exercise will be finished within the next month and it will then be possible for the Government to make a decision.

ORAL

NO. 208 OF 1997

THE HON R MOR

ILLEGAL RUSSIAN IMMIGRANTS

Are the Government still pursuing with HM Government the deportation of the 4 illegal Russian immigrants who are currently issued with renewable monthly residence permits?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, no.

SUPPLEMENTARY TO QUESTION NO. 208 OF 1997

HON R MOR:

Mr Speaker, are the Government implying that these Russians will now be allowed to live in Gibraltar?

HON CHIEF MINISTER:

Mr Speaker, the position is as I described when the hon Member last asked the question on this subject. The United Kingdom Government have unfairly, in our opinion, decided that they will not take these people back into the United Kingdom and that they are not repatriatable for reasons of politically motivated persecution back in their countries of origin. That leaves Gibraltar in a catch 22 position, really in a trap from which it cannot get out, in the sense that we cannot physically get these people out of Gibraltar and that follows that they have got to be allowed to stay here. The Government have made it clear that we will allow them to stay here on the minimum terms which includes only renewable monthly work permits and I indicated to the Opposition Member last time we discussed this subject that the Government felt there was a great moral dilemma in denying them access to the labour market because as a community we cannot voluntarily or by compulsion have four individuals "permanently" in our midst and offer them no prospect for employment ever during the rest of their natural lifetime. It is a dilemma and the Government are actually considering giving them controlled access into the labour market. Of course, no benefits and no housing entitlement or things of that kind. It is not an easy situation. The Government are grappling trying to do the best that it can between the moral dilemma and the

legalistic dilemma in which it finds itself and that is so far where our thinking has taken us.

HON R MOR:

Surely, Mr Speaker, does that not sort of relieve Her Majesty's Government from responsibility in this affair? They are the ones who should be finding a solution and what the Government are now saying is that they have actually let them off the hook.

HON CHIEF MINISTER:

No, Mr Speaker, I think the comment that the Gibraltar Government are letting them off the hook suggests that the hon Member either does not accept in good faith the answer that I am giving him or that he misunderstands the constitutional position. The Gibraltar Government do not have the means to force the United Kingdom Government to take these people into the United Kingdom. Nor, incidentally, do the United Kingdom accept that it has a responsibility in this or any other Dependent Territory to take off the hands of the Dependent Territory any illegal immigrant that may arrive at the Dependent Territory and these problems, happily for us, occur much more frequently in the Caribbean Dependent Territories than it does in Gibraltar. The United Kingdom does not accept that it has the responsibility that the hon Member's supplementary attributes to the United Kingdom. It takes the view that this is a problem for the territory which is landed with it, in our case Gibraltar. What we have said to the United Kingdom Government is that if that is their view, if that is the view on who has to live with the failure to find a solution to the problem then they must give us a much greater say in the repatriation, in the procedures leading to their not having to stay in Gibraltar. But, of course, they are reluctant to allow the Dependent Territories a greater role in that process except that they have agreed that we are free to approach other countries to see whether they will take them as refugees, political refugees, and that the United Kingdom diplomatic machinery, will be made available to us for that process. Already one or two countries have been approached, Canada is one and they have declined but we do not discount the possibility of seeking other countries that might be willing to take them but at the moment it is not a question of the Government letting the UK Government off the hook. It is one of those issues of which there are so many in Gibraltar in which there is a sort of a factual stalemate resulting from the juxtaposition of constitutional responsibilities which do not necessarily sit well with one another and this is just one more example. I think the hon Member is being unduly harsh on the Government

when he describes the position as the Government letting the UK off the hook.

HON J J BOSSANO:

without wanting to be unduly harsh on the Government, is it not the case in fact that the Constitution lays responsibility for immigration on the UK? This is not a defined domestic matter, immigration, not even labour from abroad is defined domestic matter as the Constitution stands, however outdated it may be.

HON CHIEF MINISTER:

As the hon Member knows because he has exploited the point to the limits of its endurance. Immigration is not a defined domestic matter but residence is and the position of the British Government is that we are of course free to give them permits of residence and therefore the solution to the dilemma lies in our hands to that extent.

HON J L BALDACHINO:

Mr Speaker, will the hon Member clarify, just as a point of clarification, it might just have been a slip of the tongue, but in his previous contribution to the House he mentioned that they were given a one month work permit, I suppose he was referring to one month residence permit?

HON CHIEF MINISTER:

If the hon Member was not asleep, he must at least have been dozing, because I did say residence permit.

HON J L BALDACHINO:

No, you said work permit.

HON CHIEF MINISTER:

I am sure I said residence permit but if I did not it is a slip of the tongue. I am not convinced that I did say work permit but in any case I meant residence permit.

HON J L BALDACHINO:

Mr Speaker, the hon Member was not dozing off because the Chief Minister did say work permit and obviously Hansard will show.

HON CHIEF MINISTER:

That means the hon Member is much quicker than the rest of his colleagues that have asked supplementary questions before that.

ORAL

NO. 209 OF 1997

THE HON A ISOLA

EXEMPT COMPANIES

What was the number of exempt companies as at 31 March 1997 and how much was received in Exempt Company Tax from such companies in the financial year 1996/97?

ANSWER

THE HON THE CHIEF MINISTER

The number of tax exempt companies as at 31 March 1997 was 7363. The forecast outturn for taxes collected from these companies in 1996-97 is £2.2 million.

ORAL

NO. 210 OF 1997

THE HON A ISOLA

QUALIFYING COMPANIES

What was the number of qualifying companies as at 31st March 1997 and the amount of tax paid by such companies in the financial year 1996/97?

ANSWER

THE HON THE CHIEF MINISTER

There are 91 qualifying companies registered as at 31st March 1997. The Income Tax Office maintains management information for Corporation Tax receipts as a whole, which includes the tax paid by qualifying companies. Separate management information on the tax paid by qualifying companies is therefore not readily available.

SUPPLEMENTARY TO QUESTION NO. 210 OF 1997

HON CHIEF MINISTER:

The Hon Opposition Member is looking perplexed. As he knows, professionally if not politically, qualifying companies pay ordinary income tax. They are ordinary tax payers and therefore they are not like exempt companies which pay a different sort of tax. They are just ordinary taxpayers who pay at a different rate and therefore they are in the same body of taxpayers for statistical purposes.

NO. 211 OF 1997

THE HON A ISOLA

IMPORT DUTIES

When does Government expect to announce changes to the structure of Import Duties?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, Government are still engaged in a consideration of policy options in this respect. It is anticipated that a decision will be made, and a public announcement made, prior to 31st July.

SUPPLEMENTARY TO QUESTION NO. 211 OF 1997

HON A ISOLA:

Mr Speaker, in the judgement of some traders, since the original hint that there would be a restructure of import duties, which was given by the hon and learned Chief Minister in February at the Chamber of Commerce dinner, certain traders have had difficulties in that, as an expectation of the reduction of certain levels, particularly in higher value goods, and as a result of that expectation people are not purchasing, nor ordering items, causing these certain traders certain difficulties. Will the Government expedite the decision in order to relieve those problems?

HON CHIEF MINISTER:

The Government are considering this matter as quickly as its complexity in terms of the possible effect on Government's finances permits. We are aware of the difficulties that the hon Member describes in his Supplementary to be affecting the motor trade and what the Government intends to do and although we will issue a public statement, I suppose this is a public statement of sorts as well, but what the Government will do is that it will announce, and I now announce, that if, without committing ourselves to reducing duty on motor vehicles and motor-cycles which are the category of goods that are most affected by people deferring their decision to purchase, that if without any commitment to do so the Government decide to lower duty on motor cars and motor-cycles it will be backdated to a date to be announced and I suppose we could now announce that it could be

backdated to today's date, the 26th June. So people can buy their vehicles in the knowledge that if there is a reduction in duty, they, the purchaser, on production of the receipt for import duty will get a refund from the Government. That does not mean that there is going to be a reduction in import duty but it does mean that people can proceed with making the purchase in the knowledge that if there are any goodies they will not miss out on them.

ORAL

NO. 212 OF 1997

THE HON J J BOSSANO

IMPORTS AND EXPORTS - PETROLEUM PRODUCTS

What was the value of imports and exports of petroleum products in 1996 and the comparable figure for 1995?

ANSWER

THE HON THE CHIEF MINISTER

The Imports and Exports of petroleum products in 1996 were £157.5 million and £146.4 million respectively. the comparable figures for 1995 were £104.0 million and £99.0 million respectively.

SUPPLEMENTARY TO QUESTION NO. 212 OF 1997

HON J J BOSSANO:

Can Government say whether in fact the very substantial increase of almost 50 per cent in the value of exports which is obviously bunkering is the result of the new operator that came in during the last year, does it have any indication of whether it is that the market as a whole has been increasing or the fact that there is now an additional operator?

HON CHIEF MINISTER:

Yes, Mr Speaker, I think that there has been a very substantial increase in volume but it is not all attributable to the one new operator. There is more than one operator, there is more than one additional operator contributing to the increased volume. All operators, whether they have been long established or established for one, two or three years have experienced substantial increases in volume. The latest one, of course, is Texaco but there is also a company called Vemaoil that is generating a lot of turnover and of course the longer established operators as well. There is a marked increase, not just in the volume of bunkers being dispensed but the hon Member will recall that I gave numbers of visiting ships for bunkering purposes during my budget speech and that there was nearly a 50 per cent increase in the number of ships visiting Gibraltar for the purposes of taking bunkering over the last twelve months.

ORAL

NO. 213 OF 1997

THE HON J J BOSSANO

INCOME TAX - PAYE COLLECTED

How much has been collected in PAYE in April and May this year?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the sum of £3,044,169 was collected in PAYE tax in the month of April 1997 and the sum of £3,444,579 in the month of May 1997.

ORAL

NO. 214 OF 1997

THE HON J J BOSSANO

INCOME TAX - COMPANY TAX

How much has been collected in Company Tax in April and May this year?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the sum of £1,238,559 has been collected in respect of Corporation tax in April 1997 and the sum of £1,037,800 in May 1997.

NO. 215 OF 1997

THE HON J J BOSSANO

INCOME TAX - PAYE PAYABLE

Can Government state what was the amount of PAYE payable in the tax year 1995/96 by area of employment as follows:

- (a) MOD
- (b) Gibraltar Government
- (c) Government owned and joint venture companies
- (d) Private sector employment

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the total amount of PAYE payable in respect of the Tax year 1995/96 was £40,509,094 analysed as follows:

	£
(a) MOD	4,395,081
(b) Gibraltar Government	13,282,977
(c) Government owned & Joint Venture Companies	1,908,354
(d) Private Sector Employment	<u>20,922,682</u>
	<u>40,509,094</u>

SUPPLEMENTARY TO QUESTION NO. 215 OF 1997

HON CHIEF MINISTER:

I would just like to make a qualification as to what we mean by the word "payable". Obviously payable linguistically means due and payable according to law but the hon Member knows we cannot have that information, what we have is the amount of tax due and payable based on the PAYE forms that have been returned. There may be tax due and payable but in respect of which there has not been PAYE forms yet submitted, therefore we are not aware that it is due and payable but it is payable by operation of law although it is not included in these figures. These figures reflect the P8 disclosed amounts.

HON J J BOSSANO:

I take it that it is in fact the P8 for 1995/96, that is, it does not include any sum that may be payable because the company is in arrears, it is that tax year?

HON CHIEF MINISTER:

Mr Speaker, yes.

NO. 216 OF 1977

THE HON J J BOSSANO

INCOME TAX - COMPANY TAX PAYABLE

Can Government state what is the total amount of company tax payable in respect of assessments for the tax year 1995/96 and how much has been collected to date?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the Corporation tax payable on Assessments raised for the tax year 1995/96 totals £13,125,518.

The sum of £7,810,416 has been collected to date.

SUPPLEMENTARY TO QUESTION NO. 216 OF 1977

HON J J BOSSANO

Can the Government say whether in fact there are still assessments in respect of that tax year which have not yet been sent out by the Tax Office?

HON CHIEF MINISTER:

No, Mr Speaker. I do not have that information to hand but I think it would be much more likely that the answer to that question is that there are still assessments, I do not think that everybody that is in law due to be assessed in respect of that year has been assessed either because they have not submitted a return or perhaps because having submitted a return the Tax Office has not got round to assessing them. There may be two reasons why a person has not received an assessment - one because, having submitted a return there is a backlog in the Tax Office and there may be cases of that. If the hon Member is particularly interested in that, then I can have the information provided to him, but there is another reason why people may not have been sent assessments and that is, they have not submitted a return. In that case it is a question of the Tax Office simply not being aware that they are liable to be assessed and that figure is interminable but the first figure is not interminable and if the hon Member is interested, I shall have the information provided to him.

HON J J BOSSANO:

What I am really trying to establish is how close the £13.125 million is to what is likely to be the final figure. Does the Chief Minister know what kind of gap there is?

HON CHIEF MINISTER:

Mr Speaker, I do not know. This figure I suspect should be treated with a degree of caution because it includes assessments in the absence of returns which may be subject to challenge and this therefore is not the figure of the amount due and payable definitely. It is due and payable in the absence of challenge and appeal and all of that. As I say I shall have the information produced to him by the Commissioner of Income Tax.

ORAL

NO. 217 OF 1997

THE HON J J BOSSANO

INCOME TAX - PAYE PAID BY CONSTRUCTION COMPANIES

Can Government state how much was paid in PAYE by construction companies in the financial year 1996/97 and the comparable figure for the previous financial year?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, the sum of £1,402,540 was collected in PAYE tax from construction companies in the financial year 1996/97. In the financial year 1995/96 the total from such companies was £1,435,836.

ORAL

NO. 218 OF 1997

THE HON J J BOSSANO

CONSOLIDATED FUND BALANCE

Can Government state what is the latest estimate of the Consolidated Fund balance as at 31st March 1997?

ANSWER

THE HON THE CHIEF MINISTER

The forecast Consolidated Fund balance at 31st March 1997 is £0.6 million, as presented in the Forecast Outturn of Revenue and Expenditure 1996/97 book laid together with this year's Estimates in the House. The draft accounts for 1996/97 are being prepared, but the latest indications suggest that the Consolidated Fund balance will be broadly the same as in the Forecast Outturn and, if anything, slightly bigger.

ORAL

NO. 219 OF 1997

THE HON J J BOSSANO

LIQUID RESERVES

What was the level of Liquid Reserves in the Government as at 31st March 1997?

ANSWER

THE HON THE CHIEF MINISTER

The Liquid Reserves as at 31st March 1997, to which the Government had direct access amount to £21.2 million.

In addition, the Gibraltar Savings Bank Reserve Account has a surplus of £15 million, of which £7 million will be transferred to the Consolidated Fund and a further £8 million may be transferred subject to a proposed amendment to the Gibraltar Savings Bank Ordinance.

Additionally, there are about £11 million of Government-owned Company monies invested in the Gibraltar Savings Bank.

ORAL

NO. 220 OF 1997

THE HON J J BOSSANO

I&D FUND - FORECAST OUTTURN

What was the latest estimate of the Forecast Outturn for expenditure in the Improvement and Development Fund in the year ending 31st March 1997?

ANSWER

THE HON THE CHIEF MINISTER

The Forecast Outturn of Revenue and Expenditure 1996/97 book presented to the House with this year's Estimates, shows Improvement and Development Fund expenditure in the year to 31st March 1997 at £11.2 million. The latest indication is that the expenditure is likely to be slightly less and closer to £11 million, pending any year end accounting adjustments that may need to be made.

NO. 221 OF 1997

THE HON J J BOSSANO

I&D FUND - EXPENDITURE

What is the estimated expenditure of the Improvement and Development Fund by Head of Expenditure in April and May this year?

ANSWER

THE HON THE CHIEF MINISTER

The estimated expenditure of the Improvement and Development Fund by Head of Expenditure in April and May of this year is as follows:

<u>Head</u>	<u>Apr-97</u>	<u>May-97</u>	<u>Total</u>
101 - Housing	-	-	Nil
102 - Schools, Youth & Cultural Facilities	£ 45,035	£148,118	£193,153
103 - Tourism and Transport	-	-	Nil
104 - Infrastructure and General Capital Works	£ 71,684	£ 33,656	£105,340
105 - Electricity	-	-	Nil
106 - Industry & Development	£163,713	£209,576	£373,289
	£280,432	£391,350	£671,782
	=====	=====	=====

It must be emphasised that these are tentative Treasury figures which may vary as a result of any Departmental adjustments received.

SUPPLEMENTARY TO QUESTION NO. 221 OF 1997

HON J J BOSSANO:

They do indicate, would the Government not agree, substantial levels of underspending. Does the Government still expect to be spending the amount of money that is provided for in the Improvement and Development Fund?

HON CHIEF MINISTER:

Mr Speaker, what it suggests is that many of these projects have not yet got off to a start. The hon Member I think over-simplifies the pattern of expenditure if he divides simply by twelve and expects one-twelfth to be

spent in each of the twelve calendar months of the financial year. There are projects which are just getting off the ground in respect of which expenditure has been minor but which, when they get going, will generate rapid expenditure in relatively few months. I think the point that is implicit in the hon Member's supplementary is, that this suggests that we are not going to be able to spend in the whole year as much as we have estimated to spend and of course we may not succeed in doing as much in the twelve months as we hope to do, that may be so. But I do not think it is so necessarily or suggest that it will be so simply on the basis of the figures of the first two months. The longer this trend persists then the much more likely it is to be the case that the expenditure will not be incurred during the year as a whole.

ORAL

NO. 222 OF 1997

THE HON J J BOSSANO

GIBRALTAR IDENTITY CARDS

When was the last occasion that the UK Government raised with the European Commission the question of Spain's refusal to recognise Gibraltar's identify cards?

ANSWER

THE HON THE CHIEF MINISTER

Mr Speaker, I prefix this answer, although it is not in my written note, by saying that of course I am not answerable or accountable for what the United Kingdom Government might do and inevitably the answer has to be based on information provided to me. It is not information available within the Government source but the answer, Mr Speaker, is that the Office of the United Kingdom Permanent Representative to the European Union in Brussels have regular contact with the Commission over the question of Spain's refusal to recognise Gibraltar's ID Cards.

SUPPLEMENTARY TO QUESTION NO. 222 OF 1997

HON J J BOSSANO:

So if the UK Rep in Brussels is popping in and out of the Commissioner's Office every day, what success is he having?

HON CHIEF MINISTER:

Well, Mr Speaker, none that is visible from where I sit.

NO. 223 OF 1997

THE HON J C PEREZ

GIBRALTAR INTERNATIONAL COUNTRY CODE

What is the policy of the Government of Gibraltar in respect of the possible loss of the Gibraltar International country code and the substitution of it by the UK numbering plan, for telephone calls from Spain?

ANSWER

THE HON THE CHIEF MINISTER

Yes, Mr Speaker, this is a question that the hon Member put down before I gave a relatively lengthy explanation of this in the European Movement annual meeting at which he was present. The answer now, Mr Speaker, is that the Government of Gibraltar does not consider that the substitution of the Gibraltar International telephone code by the UK numbering plan for calls made to Gibraltar from Spain is in Gibraltar's best interests.

SUPPLEMENTARY TO QUESTION NO. 223 OF 1997

HON J C PEREZ:

Will the Chief Minister ensure that he conveys this message in the strongest possible form to his partners in the two telecommunication companies?

HON CHIEF MINISTER:

Mr Speaker, it is not always necessary to be strong in language in order to convey a message clearly. There is no need for the Government to convey it in strong terms to two friendly companies in which we are 50 per cent shareholders but it has to be said that in order to comply with European Union complain procedures and not to prejudice their own action, the companies have been advised by their respective lawyers, who are in no way subject to inference from the Government, that they must respond to enquiries from the Commission exclusively by reference to commercial criteria so that if the Government's position is based on political considerations as opposed to commercial considerations the companies have been advised that it would not be prudent for them to adopt political considerations. The companies have been advised that their complaints have a better prospect of success if they limit their representations and their arguments and their feelings to

commercial considerations. But the companies are well aware that the Government does not find this solution acceptable.

HON J C PEREZ:

Is it not the case that even if one of the companies, namely Gibtel, were to find it commercially advisable to accept the country code, that the responsibility for calls with Spain are the ambit of Gibraltar Nynex and that therefore it would need the agreement of Nynex as well even if Nynex might not be involved in that particular aspect of it?

HON CHIEF MINISTER:

I do not know about that, what I can say is that the view that the Government takes is that the codes that need to be dialled to access this jurisdiction are ultimately a matter for the Government of Gibraltar and not a matter for commercial operators to decide on, and that the Government of Gibraltar would have to give its consent to the arrangement before it would be willing to allow them to be implemented and we will not give it. That is the position that we have communicated. Having said that, I do not want the fact that the hon Member has formulated in Supplementary in that way to give anybody the impression that Nynex and Gibtel have different views on the commercial acceptability, they both have the same view about the commercial acceptability, even though it follows that one has more to lose than the other by this numbering problem not being resolved post-1st January 1998.

HON J J BOSSANO:

Mr Speaker, can I ask the Chief Minister, he said in the European Movement meeting, if I remember correctly, that the proposal had come from the Commission. Did the Commission put it to the companies as a result of a case that the complaint that they are making or did this come via the British Government?

HON CHIEF MINISTER:

Mr Speaker, the Commission has put it to all and sundry, as far as I can tell. They have certainly put the proposal to the complainants who are the parties to the litigation. They put it to me and to the Minister for Trade and Industry in person when we went to visit the Director General in the appropriate DG(IV), Mr Temple Lang and he put it to us and we said that we would consider it and come back to him. They have put it to the United Kingdom Government and what we have said to

the United Kingdom Government is that the Governmental view that has to be transmitted on behalf of the Member State is not the Governmental view of the United Kingdom but the Governmental view of the Government of Gibraltar. It appears that the United Kingdom Government are happy to go along with that and have indicated a willingness to defend whatever position the Government of Gibraltar wishes it to defend in this matter. We have judged that it is in Gibraltar's best interest that there is a reply that the United Kingdom Government can squarely swing behind, so we have prepared a draft response to Mr Temple Lang and submitted it to London to make sure that it is a position that they will be able and will support with all its consequences in the future.

NO. 224 OF 1997

THE HON J J BOSSANO

POST OF COMMISSIONER OF POLICE

Can Government state how the selection of the Commissioner of Police was carried out on the previous occasion when there was a vacancy?

ANSWER

THE HON THE CHIEF MINISTER

On the previous occasion, the appointment was made by the Governor in accordance with Section 73(1) of the Constitution. The then Deputy Commissioner of Police after successfully having completed periods of attachments in UK and on the advice of the then Commissioner of Police was appointed by the Governor.

SUPPLEMENTARY TO QUESTION NO. 224 OF 1997

HON J J BOSSANO:

Mr Speaker, this Ad Hoc Advisory Committee that was created on this occasion, is there any particular reason why there was a need for this innovation when surely the candidates could have been considered as other promotions are?

HON CHIEF MINISTER:

Mr Speaker, it is up to the Governor to decide who he takes advice from in selecting this appointment. The point here is that it is a Governor's appointment and not a Government appointment. Certainly the Ad Hoc Committee of experts that the Governor appointed to advise him on who he should appoint is not something that has happened as far as our research has revealed before. But as the hon Member knows, whether the Governor makes the appointment on the basis of consulting the outgoing Commissioner or on the basis of consulting the three wise men or on the basis of consulting nobody at all is a matter which I think does not raise any great issue. I can however report to the House that I believe that there has been considerably more consultation with me as Chief Minister on this occasion, than there has been on any previous occasion and that is something for which I and the Government are grateful and which I think the House will welcome. There has been consultation of course,

ultimately the decision has been the Governor's but I think there has been more consultation than in the past.

HON J J BOSSANO:

Mr Speaker, given the fact that I thought the original answers were the Government, distancing themselves from the Governor, it seems peculiar that the Chief Minister should welcome so much consultation, if at the end of the day, I am not sure whether the implication is that all that consultation suggests approval for what has been done.

HON CHIEF MINISTER:

I have far too many important things to do that are my responsibility to worry unduly about whether I approve or do not approve of decisions that other people take. Let me tell the House that I regret that the hon Member has interpreted my earlier answers as suggesting that I was trying to distance myself from the decision. I have not tried to distance myself from the decision and I do not distance myself from the decision. As far as I am concerned, in matters such as the Police, whilst the Government of Gibraltar prefer and indeed are anxious that the post of Commissioner of Police should be held by a local person, ultimately the decision in areas of that kind should be made on operational grounds, the best man for the job. What the Government of Gibraltar have done and what I have done is secure an assurance from the Governor as to the succession, in other words, who will be the next Commissioner and I think, that the input from the Government in that area is reflected in the Governor's public statement on the matter.

HON J J BOSSANO:

Mr Speaker, given the fact that the job was localised a considerable time ago, one would hope that it has not been expatriated in perpetuity.

HON CHIEF MINISTER:

No, if the hon Member would give way? Not only is it not expatriated in perpetuity, the next Commissioner will come from the ranks. That is what His Excellency the Governor said.

HON J J BOSSANO:

Yes, that is what I am saying, one would hope that given that the localisation of that post happened a considerable time ago, one would hope that the present thing is a temporary phenomenon, which is what has

happened. I do not think one would not have expected anything else, frankly, what else are we saying that the Governor took a lot of convincing? Surely it is axiomatic that after three years if it is a contract employment, one would expect that the job would go to a local officer given the fact that we were deemed to be capable of producing Commissioners of Police a considerable number of years ago when the last officer from UK was not replaced by another expatriate. I would ask the Government given that Mr Grundy wrote the original report, which regrettably we have been refused even on a confidential basis, was there anything in that report about the succession of the Commissioner and if that is the case, how could he have been put in the selection committee if he had already expressed views on the subject?

HON CHIEF MINISTER:

Mr Speaker, in the first place let me hasten to place on record that the hon Member may have been denied access to the Grundy Report, but when we were in Opposition we were denied access to the much less sensitive operationally Price Waterhouse value for money report on the Police, commissioned by the Governor, for whom I cannot answer, but by the Principal Auditor. So what is sauce for the goose is sauce for the gander. This is not a principle of life to which I normally subscribe, but I think the hon Member should bear such points in mind when he levels implicit accusations about regretting the fact that reports are not made available to him as if this were something unusual. As far as concerns the question of Mr Grundy's suitability to be on the selection board, given that he had previously expressed a view, well, first of all this is not a selection board, the selector is the Governor and not the board. The board is advisory in nature and from my recollection of the Grundy Report it did not express a view on who should be the next Commissioner. Even if these were questions of "functus officio" they would not arise in this case.

HON J J BOSSANO:

Well, obviously since at the time that Mr Grundy was carrying out the study we were in office and certainly he was not being asked by anybody to find a successor to the Gibraltarian Commissioner, one would not expect that he should identify one, but, did he identify a problem of succession in the Report? I would point to the Chief Minister that in fact in his original answers last September he was saying that the Government was in favour of making the report public and that we were limiting ourselves to being given access to it on the basis that it could contain sensitive information which might be

damaging to the Police in terms of its role in security and detection, and if there are weaknesses in the structure it is logical not to want to make those weaknesses available for everybody but that in fact we feel quite strongly and felt quite strongly that whatever may happen to the studies that are commissioned by the present administration as to what they make public of it, that report is completed, it might not have arrived in Gibraltar until April or May, but it was completed well before and therefore I think that is the only reason why we feel we are entitled to something which was there when we were there and for no other reason. Whatever they choose to do with the reports they do now is entirely a matter for them. But would the Government not agree that if the report identified, in looking at the structure of problems of the Force, a problem of succession, then is that not an indication that the whole concept of bringing out somebody to be the project manager and then to have to take over because of the matter of the position of Deputy being sub-judice is really no more than the fulfilment of an intention that was always there which was to bring a UK Commissioner.

HON CHIEF MINISTER:

I have some sympathy for the view that this was the intention all along but I think what the report identified was a temporary problem in the succession arising from well known events which had displaced the natural successor. I think that when we judge the justification for what has happened that sight should not be lost of the disruption that there has been to the natural line of succession arising from extraneous events and frankly in the light of those, it became very difficult to construct persuasive arguments against this temporary secondment or rather expatriation of the office. I think that we can all agree that this is a matter that time can and will cure and indeed the statements made by the Governor makes it clear that this appointment is for a maximum term of three years and that the next Commissioner will be from the Force. I think it augurs very well in that respect that the recommendation board itself recommended Chief Superintendent Ullger for the post of Deputy Commissioner of Police and I think that that is an indicator of some sort.